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INDIA'S GOAL

CONSTRUCTIVE CRITICISMS

BY

LEADING INDIANS

ON THE

MONTAGU-CHELMSFORD SCHEME

PUBLISHED BY

G. A. NATESAN & CO.,

MADRAS

Mrs

PREFACE

This book is designed to meet the large and growing demand for a guide to all the mass of literature bearing on the Montagu-Chelmsford Report on Indian Constitutional Reforms. The publishers have availed themselves of this opportunity to present in chronological order full text of the Congress-League Scheme and other important documents as the Memorandum of the Nineteen, Sir William Wedderburn's Memorandum, Lord Islington's Scheme, Gokhale's Scheme, the Aga Khan's Scheme, the Declaration of August 20th and the Indo-British Scheme. A summary of the Montagu-Chelmsford Scheme is also reprinted from the Report. In the chapter entitled, "Some Constructive Criticisms," care has been taken to see that the views of representative leaders of public opinion, on different features of the scheme, are collected. In view of the huge pile of literature that has grown on the subject of the new reforms it is hoped that the reader will welcome this handy volume.

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By Mr. G. A. Natesan

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INTRODUCTION

" We believe profoundly that the time has now come when the sheltered existence that we have given India cannot be prolonged without damage to her national life ; that we have a richer gift for her people than any that we have yet bestowed on them ; that nationhood within the Empire presents something better than anything India has hitherto attained ; that the placid, pathetic contentment of the masses is not the soil on which such Indian nationhood can grow, and that in deliberately disturbing it, we are working for her highest good." (Montagu-Chelmsford Report, Para 144, p.93.)

" Self-Government for India within the Empire is the highest aim which her people can set before themselves, or, which we as trustees for her, can help her to attain. Without it there can be no fullness of civic life, no satisfaction of the natural aspirations which fill the soul of every self-respecting man. The vision is one which may well lift one up to resolve on things which seemed impossible before. Is it too much to hope that the desire of the people of India so to govern themselves and that the conviction that they can never do so otherwise in any real sense, may prove eventually to be the solvent of these difficulties of race and creed?" (Ibid. Para 151, p. 97.)

The Montagu-Chelmsford Report is a historic and unique document ; in it we have a profound and highly instructive analysis of Indian conditions ; a faithful interpretation of Indian national sentiments and aspirations and an undoubted condemnation of the present bureaucratic methods of administra-

tion. No higher compliment could be paid to the authors of the joint Report than that given by the *Mahratta*, Mr. Tilak's English organ :

"It bristles with admissions against the Government which would be the delight of the nationalist ; * * The report is a complete vindication of the Indian advocates of Self-Government for India."

The authors deserve the thanks of the country for the honest and sincere attempt they have made to start India on the road to responsible government. I feel that when the storm and dust of controversy is over, even the few adverse critics of the Report will give Mr. Montagu a place among the small band of noble Britishers who have laboured for the good of India.

As a Congressman, I should have been in common with others more happy indeed if the Congress-League Scheme as a whole had found favour with the authors of the Report. But I must say that despite the defects and shortcomings of the Montagu-Chelmsford scheme Congressmen have every reason to rejoice that several proposals and measures of reform which they have been urging for years have at last been definitely recommended for adoption. Twenty years ago the late Mr. W. C. Bonnerjee bemoaned before a public audience in England that under the present system of administration

the Government of India was an irresponsible body, responsible neither to the people nor to Parliament to which it was theoretically supposed to account. It has always been recognised as nothing short of a scandal that the affairs of India with its 300 millions of population and its illimitable resources and possibilities should every year receive only a few hours' attention on some day at the fag end of a Session during a so-called discussion of the Indian budget and often before practically empty Houses. Congressmen therefore have every reason to welcome the proposal to place the salary of the Secretary of State on the Home Revenues and have it voted annually as it will enable any live question of Indian Administration to be discussed by the House of Commons in a more satisfactory fashion than at present. Further the institution of periodical Parliamentary Commissions of enquiry, a revival of the good old practice in vogue at the time of the administration of India by the East India Company, will, among other things, put the Indian bureaucracy on guard against any attempts at maladministration. More than all, the proposal to ask the House of Commons to appoint a Select Committee on Indian affairs—for which the voice of the venerable Sir William Wedderburn was often lifted in vain—is bound to be of especial value as the House

of Commons will then be kept better informed on Indian questions and the official version would have less easy opportunities of passing muster before an ignorant and an uninformed assembly.

The Congress has been asking for a number of years for Council Government in all the Provinces, for an increase of the Indian element in the Executive Councils, for enlarged Legislative Councils returned by direct election on a territorial basis and on a franchise to be as broad as possible, for a complete separation of Imperial and Provincial revenues, for doing away with the present system of "divided heads," for fixed contributions by Provincial Governments to the Government of India, and for the financial, legislative and administrative independence of the Provinces though subject to certain limitations. In regard to all these the new scheme certainly concedes the spirit of the Congress demands though not exactly in the manner asked for. For a long time past we have been demanding for the Legislative Councils power to modify their rules to facilitate a more effective use of the power of interpellations coupled with the right of supplementary questions. In regard to the Budget, for years we have been insisting on the right to alter the whole budget in accordance with the Resolutions that may be passed.

by the Councils. In so far as this request has been conceded in the case of Provincial Councils subject to the Governor's right to restore an allotment on a reserved subject, a power which in the nature of things will be very cautiously and sparingly exercised, the popular demand has been met. It would be well to remember in this connection that the "'budget will be considered by the whole Government acting together,' that in the allotments for reserved and transferred subjects 'the predominant voice will be Indian' exclusive of the Governor, and that the resolution of a provincial Legislative Council (on the budget) including transferred as well as all uncertificated reserved items will be binding on the Government. The whole procedure prescribed for the framing and discussion of the budget is calculated to make the popular voice prevail as a general rule."

The country has been complaining for years that Lord Ripon's pious intentions with regard to the development of Local Self-Government as an instrument of popular education have been a dead letter. The Report distinctly provides for complete popular control in local bodies. Those who have been deploring the passing away of the Panchayat system in the villages will be gratified to find the provisions made for their full development.

The existence of racial bars against the employment of Indians in the higher services and the very small number of appointments thrown open to them have been rightly a standing source of irritation. The bar sinister is now to be removed and the recruitments for public services which have hitherto been held in England will hereafter be held in India also. At present only 8 per cent of the offices in the Indian Civil Service are filled in by Indians. The Public Services Commission have recommended the increase to 25, but the Montagu-Chelmsford report says 33 per cent should be given to Indians immediately.

The proposals made for the appointment of Standing Committees and of Under-Secretaries of State corresponding to those of Parliamentary Under-Secretaries in England are certainly innovations in the right direction.

Many of these proposals despite the needless checks they impose which it must be our endeavour to do away with, undoubtedly constitute a distinct advance on the present conditions.

It is but natural therefore that veteran publicists who have for years been actively endeavouring to promote the political advancement of the country have accorded to the proposals their general support. And so have almost all the Presidents of the

Congress. Sir S. P. Sinha is satisfied that in the scheme "we have the pledge of substantial steps" towards responsible government and that "as soon as possible." The Hon. Babu Surendranath Banerjea has no doubt "that it marks a definite stage towards the progressive realisation of responsible government." The Hon. Sir Dinshaw Wacha, the Hon. Rao Bahadur Mudholkar and Sir Narayan Chandavarkar testify that it is "a progressive measure." The Hon. Mr. Amvika Charan Mazumdar affirms that "however imperfect they may be, the proposals are sure to prove a real step in advance." The Hon. Pandit Madan Mohan Malaviya avers that "so far as the proposals go they constitute a large and liberal measure of reform which we should be grateful for." Among the signatories of the now famous Memorandum of the Nineteen, besides some of the ex-presidents of the Congress and of the Moslem League there are a number of members of the Imperial Legislative Council and these also approve of the scheme in general though as might be expected with necessary modifications. The Hon. Mr. V. S. Srinivasa Sastri has welcomed and generally supported the proposals as "firmly and wisely conceived." So do the other numbers of the Viceregal Council: The Hon. Mr. Mazar-ul-Haque, the Hon. Dr.

Tej Bahadur Sapru, the Hon. Mr. Sarma, the Hon. Mir Asad Ali Khan, the Hon. Sir G. M. Chitnavis, Hon. Mr. Shukul and others. Leaders of the Indian mercantile community like the Hon. Sir Fazulbhoy Currimbhoy, Sir Rajendranath Mukherjee, the Hon. Rai Sitanath Rai Bahadur, Mr. M. B. Dadabhoy and others have given it as their opinion that the "scheme is well conceived and will meet, though not fully, the aspirations of all sections of the community." Besides the testimony of a number of members of the various Provincial Legislative Councils, we have the opinion of, among other publicists the foremost of them, Mr. Gandhi, who considers "that both Mr. Montagu and Lord Chelmsford have been inspired by an honest desire for a due fulfilment of the Declaration of the 20th August and for the welfare of India." Representatives of the Land-holders in various parts of India have supported the proposals, though urging provisions for the special representation of their interests. The Maharajah of Patiala's commendation of the Scheme may be taken to represent the views of the ruling princes of India. And it is noteworthy that in a very able memorandum drawn up on behalf of the Bombay backward classes and signed among others by the Hon. Mr. G. D. Naik it is stated, "at the outset we feel confident that we are in complete accord

with the principal idea underlying the scheme," though, as one would naturally expect, they are most anxious to have a special representation for them. In the face of such a general welcome to the scheme by leading men of all classes and creeds and of varied interests, it is not surprising that even the few who originally cried a loud for "rejection" have reconsidered their views, taken wise counsel, and abandoned the idea of rejection as perilous.

Indeed thoughtful men all over the country have accepted the scheme as the basis for discussion and have been busily engaged in offering constructive suggestions for improving it. An attempt has been made in these pages to present the essential features of as many of those as possible. Care has been taken to see that the views of representative men, bearing on different aspects of the proposals, are collected.

Even a cursory perusal of these criticisms will show that there is complete unanimity of opinion that the reforms proposed in regard to the Government of India are of the feeblest and of the most unsatisfactory character.

As Sir Dinshaw Wacha and his colleagues have pointed out in their very able and telling Memorandum, the Reforms of the Government of India are altogether based on a

wrong formula for which there is no justification in the terms of the announcement of August 20. The distinguished authors of the Report have given absolutely no valid reason as to why "the Government of India *must* remain *wholly* responsible to Parliament," and why even the *beginnings* of responsible Government in the Government of India should be withheld.

It is entirely wrong in principle and is bound to lead to rigidity and unprogressiveness at the centre of the body politic, which would react on the freedom, elasticity and growth of provincial administrations.

Further:

A legislature with a two-thirds elected element therein but in all important matters retaining the characteristics of the Morley-Minto model, that is to say, mere 'criticism unchecked by responsibility' has its perils, and should not be allowed to continue long in this position of irresponsibility. Otherwise there would be a break-down of the machinery long before it is readjusted to new requirements at the end of the interval deemed essential by the authors of the formula.

In the words of the Hon. Mr. Sastri:

The case for introducing the principle of responsible government in the national as well as the provincial sphere is complete. Without it the scheme would be inconsistent with itself; the spirit of the August declaration will not have been fully vindicated; and England will be unable to claim that she has set India firmly on the road to self-government. For how could it be claimed in the Peace Conference or elsewhere that the principle of self-determination was applied to the case of India whil a mere seed thereof was sown in the Provincial field

> The third formula must go. It rests on an unsound reasoning and must fall before a combined assault on the part of the Indian leaders.

There is intense disappointment too at the omission of a definite pronouncement with regard to Fiscal Autonomy. It is the thing on which the entire country has been keen for years. It is the absence of it that has caused Indian interests often to be victimised to propitiate other vested interests. The Hon. Sir Fazulbhoy Currimbhoy voices the general feeling of the country when he says :

> Consistent with Imperial interests, it should be possible to formulate a scheme of scientific tariffs dictated by the interests of India. I cannot help thinking that if a radical change of policy had been outlined in regard to fiscal matters, the disappointment of the public at certain features of the scheme in the reform should not have been so keenly felt.

Surely it would be no exaggeration to say that unless a great measure of popular control is given to the people in the central legislature, the scheme as a whole will not be acceptable to the country at large. Opinion too is fairly unanimous that the Council of State must go. It is justly regarded as " a discredited device " and second chambers have, on the whole, been far from successful, and there is an apprehension that it may " lead to heat, irritation and bad blood, imperilling the constitution itself." It has evidently been conceived as " an antidote to

the elective majority in the Legislative Assembly," and " to serve as a screen, thin though it be, to cover the continuance of the present system of Government." If this ill-fated second chamber is to remain at all, the elected element in it should be strengthened and it should be shorn of some at least of the powers proposed to be conferred on it.

With regard to the proposed changes concerning provincial governments, the general opinion of the country is clear. The number of reserved subjects must be as few as possible, especially so in regard to the major provinces; Ministers must be allowed the same status and salary as members of the Executive Council; the proposal to have members of the Executive Government without portfolios should be given up ; in the legislative assemblies there should be a substantial majority of elected members, as otherwise there could be no boast of real autonomy ; power must be given to the Assemblies to raise debates on definite matters of public interest; they should also have the power to insist on the Governor calling a meeting of the Assembly at stated intervals. The Governor should not be the President of the Legislative Assembly, but if this is not complied with, at least the Vice-President should be elected by that body. The feeling is quite keen against the

institution of the Grand Committees. The proposal to have reserved and transferred subjects is tolerated solely because it is expressly said to be provisional.

In regard to the proportion of Indians in the Services the Congress-League claim for the immediate grant to the Indians of 50 per cent of the higher posts in the Civil Services is regarded at least for the present as a more equitable proportion. India is admittedly the poorest country in the world and the Civil Service the costliest. It will be a grievous wrong to the Indian tax-payer to propose any further increase in the salaries and pensions of the Civil Service even if it was intended to console the bureaucracy for the loss of power and prestige which the scheme undoubtedly contemplates.

The claim advanced in the Report that the real guardians of the masses of India are the bureaucracy and not the natural leaders of the people is responsible for not a little of the unfavourable criticism to which the Report has been subjected. More than anything else the chapter in which special powers are recommended for protecting the interests of Europeans, Christian Missionaries and the domiciled communities have given rise to a good deal of just resentment.

The pride and self-respect of Indians, made almost morbid by the humiliation of generations, are cruelly

mortified by the disabilities of one kind or another, under which they labour in their own country. When shall there be real equality between man and man, is the cry of anguish that goes up from many a wounded heart. The one appeal that we would make to all who wield authority over India is to put an end to all privilege, whether it be due to birth or race or religion.

In stating this the Hon. Mr. Srinivasa Sastri is but echoing the unanimous voice of the country.

There is no use concealing the fact that every self-respecting Indian resents the theory of divided interests. As Mr. Gandhi points out in regard to the nervousness of the authorities to protect what are called special interests:

One cannot help noticing an unfortunate suspicion of our intentions regarding the purely British as distinguished from the purely Indian interests. Hence, there is to be seen in the scheme elaborate reservations on behalf of these interests. I think that more than anything else it is necessary to have an honest, frank and straightforward understanding about these interests and for me personally this is of much greater importance than any legislative feat that British talent alone or a combination of British and Indian talent may be capable of performing. I would certainly, in as courteous terms as possible, but equally emphatic, say that these interests will be held subservient to those of India as a whole and that therefore they are certainly in jeopardy in so far as they may be inconsistent with the general advance of India.

Indians very rightly claim that where the interests of India and England conflict the interests of India should not be subordinated to those of England; and Britishers should not forget what John Bright was never tired

of repeating that the good of England must come through the channels of the good of India.

In the past it has been our melancholy experience that many a great scheme nobly planned has been shorn of its beneficience at the hands of the bureaucracy by the narrow and petty-fogging spirit in which they have been interpreted and worked; Parliament cannot be too careful in providing safeguards against "the hazards of bureaucratic jealousy." The Pronouncement of August 20 has justly been regarded by the educated classes in India as a pledge binding the Imperial Government in regard to its future relations with India. Mr. Curtis rightly warned the British public when he said, "Our danger lies in pledges being so framed that mere delay and failure to take the necessary steps forthwith will expose us to a charge of breach o faith." Hence the insistence by politicians of all classes and creeds that adequate assurance should be given that full responsible government shall be established in India within a reasonable period.

G. A. NATESAN.

THE SCHEMES

The Memorandum of the Nineteen

The following is the text of the Memorandum submitted in September 1916 *to H. E. the Viceroy by nineteen additional members of the Imperial Legislative Council with regard to Post War Reforms*:—

There is no doubt that the termination of the War will see a great advance in the ideals of Government all over the civilised world and especially in the British Empire, which entered into the struggle in defence of the liberties of weak and small Nationalities and is pouring forth its richest blood and treasure in upholding the cause of justice and humanity in the international relations of the world. India has borne her part in this struggle and cannot remain unaffected by the new spirit of change for a better state of things. Expectations have been raised in this country and hopes held out that, after the War, the problems of Indian administration will be looked at from a new angle of vision. The people of India have good reasons to be grateful to England for the great progress in her material resources and the widening of her intellectual and political outlook under British rule, and for the steady, if slow, advance in her National life, commencing with the Charter Act of India of 1833. Up to 1909, the Government of India was conducted by a bureaucracy almost entirely non-Indian in its composition and not responsible to the people of India. The reforms of 1909 for the first time introduced an Indian element in the direction of affairs in the administration of India. This element was of a very limited character. The Indian people accepted it as an indication on the part of the Government of a desire to admit the Indians into the inner counsels of the Indian Empire. So far as the Legislative Councils are concerned, the numbers of non-official members were merely enlarged with in-

creased facilities for debate and interpellation. The Supreme Legislative Council retained an absolute official majority, and in the Provincial Legislative Councils, where a non-official majority was allowed, such majority included nominated members and the European representatives. In measures largely affecting the people, whether of legislation or taxation, by which Europeans were not directly affected, the European members would naturally support the Government, and the nominated members, being nominees of Government, would be inclined to take the same side. Past experience has shown that this has actually happened on various occasions. The non-official majorities, therefore, in the Provincial Councils have proved largely illusory and give no real power to the representatives of the people, The Legislative Councils, whether Supreme or Provincial, are at present nothing but advisory bodies without any power of effective control over the Government, Imperial or Provincial. The people or their representatives are practically as little associated with the real Government of the country as they were before the reforms, except for the introduction of the Indian element in the Executive Councils, where again the nomination rests entirely with the Government, the people having no voice in the selection of the Indian members.

The object which the Government had in view in introducing the reforms of 1909 was, as expressed by the Prime Minister in his speech in the House of Commons on the second reading of the Indian Councils Bill (1st April, 1909), that "it was most desirable in the circumstances to give to the people of India the feeling that these Legislative Councils are not mere automatons, the wires of which are pulled by the official hierarchy." This object, it is submitted, has not been attained. Apart from this question of the constitution of the Legislative and Executive Councils, the people labour under certain grave disabilities, which not only prevent the utilisation, but also lead to the wastage, of what is best in them, and are positively derogatory to their sense of National self-

respect. The Arms Act which excludes from its operation Europeans and Anglo-Indians and applies only to the pure natives of the country, the disqualification of Indians for forming or joining Volunteer Crops and their exclusion from the commissioned ranks of the army, are disabilities which are looked upon with an irritating sense of racial differentiation. It would be bad enough if these were mere disabilities. Restrictions and prohibitions regarding the possession and use of arms have tended to emasculate the civil population in India and expose them to serious danger. The position of Indians in India is practically this, that they have no real part or share in the direction of the Government of the country, and are placed under very great and galling disabilities from which the other members of the British Empire are exempt, and which have reduced them to a state of utter helplessness. The existence, moreover, of the system of indentured emigration gives to the British Colonies and the outside world the impression that Indians, as a whole, are no better than indentured coolies, who are looked upon as very little, if at all, above the slave. The present state of things makes the Indians feel that, though theoretically they are equal subjects of the King, they hold a very inferior position in the British Empire. Other Asiatic races also hold the same, if not a worse, view about India and her status in the Empire. Humiliating as this position of inferiority is to the Indian mind, it is almost unbearable to the youth of India whose outlook is broadened by education and travel in foreign parts where they come in contact with other free races. In the face of these grievances and disabilities, what has sustained the people is the hope and faith inspired by promises and assurances of fair and equal treatment which have been held out from time to time by our Sovereigns and British statesmen of high standing. In the crisis we are now going through the Indian people have sunk domestic differences between themselves and the Government, and have faithfully and loyally stood by the Empire. The Indian soldiers were eager to go to the battle-

fields of Europe, not as mercenary troops but as free citizens of the British Empire which required their services, and her civilian population was animated by one desire, namely, to stand by England in the hour of her need. Peace and tranquillity reigned throughout India when she was practically denuded of British and Indian troops. The Prime Minister of England, while voicing the sentiments of the English people in regard to India's part in this great War, spoke of Indians as "the joint and equal custodians of one common interest and future." India does not claim any reward for her loyalty, but she has a right to expect that the want of confidence on the part of Government, to which she not unnaturally ascribes her present state, should now be a thing of the past, and that she should no longer occupy a position of subordination but one of comradeship. This would assure the Indian people that England is ready and willing to help them to attain Self-Government under the ægis of the British Crown, and thus discharge the noble mission which she has undertaken and to which she has so often given voluntary expression through her rulers and statesmen. What is wanted is not merely good government or efficient administration, but government that is acceptable to the people because it is responsible to them. This is what, India understands, would constitute the changed angle of vision.

If, after the termination of the War, the position of India practically remains what it was before, and there is no material change in it, it will undoubtedly cause bitter disappointment and great discontent in the country, and the beneficent effects of participation in common danger, overcome by common effort, will soon disappear, leaving no record behind save the painful memory of unrealised expectations. We feel sure that the Government is also alive to the situation and is contemplating measures of reform in the administration of the country. We feel that we should avail ourselves of this opportunity to respectfully offer to Government our humble suggestions or to the lines on which these reforms should proceed. They must, in our opinion, go to the root of the mat-

ter. They must give to the people real and effective participation in the Government of the country, and also remove these irritating disabilities as regards the possession of arms and a military career which indicate want of confidence in the people and place them in a position of inferiority and helplessness. With this view we would take the liberty to suggest the following measures for consideration and adoption:

1. In all the Executive Councils, Provincial and Imperial, half the number of members should be Indians; the European element in the Executive Councils should, as far as possible, be nominated from the ranks of men trained and educated in the public life of England, so that India may have the benefit of a wider outlook and larger experience of the outside world. It is not absolutely essential that the members of the Executive Councils, Indians or Europeans, should have experience of actual administration, for, as in the case of ministers in England, the assistance of the permanent officials of the departments is always available to them. As regards Indians, we venture to say that a sufficient number of qualified Indians, who can worthily fill the office of members of the Executive Council and hold portfolios, is always available. Our short experience in this direction has shown how Indians like Sir S. P. Sinha, Sir Syed Ali Imam, the late Mr. Krishnaswami Iyer, Sir Shams-ul-Huda and Sir Sankaran Nair have maintained a high level of administrative ability in the discharge of their duties. Moreover, it is well-known that the Native States, where Indians have opportunities, have produced renowned administrators like Sir Salar Jang, Sir T. Madhava Rao, Sir Seshadri Aiyar, Dewan Bahadur Raghunath Rao, not to mention the present administrators in the various Native States of India. The statutory obligation, now existing, that three of the members of the Supreme Executive Council shall be selected from the public services in India, and similar provisions with regard to Provincial Councils, should be removed. The elected representatives of the people should have a voice in the selection of the Indian members of the Executive Councils and

for that purpose a principle of election should be adopted.

2. All the Legislative Councils in India should have a substantial majority of elected representatives. These representatives, we feel sure, will watch and safeguard the interests of the masses and the agricultural population with whom they are in closer touch than any European officer, however sympathetic, can possibly be. The proceedings of the various Legislative Councils and the Indian National Congress and the Muslim League bear ample testimony to the solicitude of the educated Indians for the welfare of the masses and their acquaintance with their wants and wishes. The franchise should be broadened and extended directly to the people; Muhammadans or Hindus, wherever they are in a minority, being given proper and adequate representation, having regard to their numerical position.

3. The total number of the members of the Supreme Council should be not less than 150, and of the Provincial Councils not less than 100 for the major Provinces, and not less than 60 to 75 for the minor Provinces.

4. The Budget should be passed in the shape of money bills, fiscal autonomy being conceded to India.

5. The Imperial Legislative Council should have power to legislate on, and discuss and pass resolutions relating to, all matters of Indian administration, and the Provincial Councils should have similar powers with regard to Provincial administrations, save and except that the direction of military affairs, of foreign relations, declaration of war, the making of peace, and the entering into treaties, other than commercial, should not be vested in the Government of India. As a safeguard, the Governor-General-in-Council or the Governor-in-Council, as the case may be, should have the right of veto, which, however, should be exercised subject to certain conditions and limitations.

6. The Council of the Secretary of State should be abolished. The Secretary of State should, as far as possible, hold in relation to the Government of India a position similar to that which the Secretary of State for the Colonies holds in relation to the Colonies. The

Secretary of State should be assisted by two permanent Under-Secretaries, one of whom should be an Indian. The salaries of the Secretary and the Under-Secretaries should be placed on the British estimates.

7. In any scheme of Imperial Federation, India should be given through her chosen representatives a place similar to that of the Self-Governing Dominions.

8. The Provincial Governments should be made autonomous, as stated in the Government of India's despatch, dated 25th August, 1911.

9. The United Provinces, as well as the other major Provinces, should have a Governor brought from the United Kingdom and should have an Executive Council.

10. A full measure of Local Self-Government should be immediately granted.

11. The right to carry arms should be granted to Indians on the same conditions as to Europeans.

12. Indians should be allowed to enlist as volunteers and units of a territorial army established in India.

13. Commissions in the army should be given to Indian youths under conditions similar to those applicable to Europeans.

Manindra Chandra Nandy of Kasimbazaar.
D. E. Wacha.
Bhupendranath Basu.
Bishan Dutt Shukul.
Madan Mohan Malaviya
K. V. Rangaswamiengar,
Mazhar-ul-Haque.
V. S. Srinivasan.
Tej Bahadur Sapru.
Ibrahim Rahimtoola.
B. Narasimheswara Sarma.
Mir Asad Ali.
Kamini Kumar Chanda.
Krishna Sahay.
R. N. Bhanja Deo of Kanika.
M. B. Dadabhoy.
Sita Nath Roy.
Mohamed Ali Mohamed.
M. A. Jinnah.

Sir W. Wedderburn's Memorandum

The following memorandum was issued in November, 1916, by Sir William Wedderburn on behalf of the British Committee of the Congress :—

This year has essentially been one of anxious preparation. Both in India and in England, it has been fully recognised that, after the war, India should receive her due share of Self-Government, and should take within the British Empire, a place worthy of her ancient civilization and the high ideals of her people. Accordingly, during this year, steady preparation has been carried on by Congress workers both in India and in England, so that, when peace is assured, proposals may be placed before Parliament for such constitutional reforms as will satisfy the Indian people, and be in conformity with British principles of freedom and progress.

From the nature of things, this work of preparation is necessarily carried on partly in India and partly in England. It is for India herself to mature a scheme of reform suited to her special requirements ; it is in England, as the seat of power, that arrangements have to be made for the due hearing of her case. Congress workers in the East and in the West have been diligent in the performance of this double duty.

WORK IN INDIA

First, as regards work in India. By Resolution XIX of the last Congress, under the heading of ' Self-Government,' the All-India Congress Committee was authorised to frame a scheme of reform, having regard to the principles embodied in the Resolution ; and further, it was authorised to confer with a Committee of the All-India Moslem League and to take such further measures as may be necessary. This action accords, with the advice of Sir S. P. Sinha, the

President of the Congress, who pointed out that, for the general welfare, we need 'a reasoned ideal of India's future such as will satisfy the aspirations and ambitions of the rising generations of India, and at the same time will meet with the approval of those to whom India's destinies are committed.' The representatives of the Congress and the Moslem League have met in conference as contemplated by Resolution XIX, and the final result of their deliberations is now awaited. There can be no doubt that the representations of a united India will receive from the British people the attention demanded by its importance for the welfare of the Empire.

Steps having thus been taken in India to formulate the wishes of the Indian people we have to consider the action required from friends in England. At the proper time when peace is within sight, it is proposed that the Indian scheme of reform shall be brought to England by a deputation of the most trusted Indian leaders; and the practical question is: How should this deputation proceed so that the case may be brought effectively before the Home Government, the Imperial Parliament, and the British public, with a view to a settlement beneficial alike to India and the world?

ACTION IN ENGLAND

Naturally the first approach will be made to the Home Government. In the Government as now constituted, both the great parties in the State are united; and, fortunately, even before the Coalition the leaders on both sides pledged themselves, by declarations in Parliament, to a generous policy to India promising her a worthy place in our free Empire, as a partner, and not as a dependent. Mr. Charles Roberts gave this assurance, speaking for the Secretary of State, and Mr. H. W. Forster was authorised by Mr Bonar Law to say how closely the Opposition associated itself with the sentiments expressed on behalf of the Government. Furthermore, the King-Emperor has repeatedly insisted on sympathy as the keynote in dealing with Indian aspira-

tions. There is, therefore, every reason to expect that India's representations will be received by His Majesty's Government with careful and sympathetic attention and that the Secretary of State for India will receive the deputation in friendly conference, so that there may be a free interchange of views, having for its object to meet the reasonable wishes of all concerned. Proceeding on these lines, the way seems open for the Government, in consultation with India's representatives to prepare and place before Parliament proposals for such consititutional reforms as will satisfy the Indian people, and be in conformity with British principles of freedom and progress.

From the above considerations there seems reason to hope that a satisfactory scheme of reforms may be framed by agreement. At the same time we must not shut our eyes to the fact that the Government may not see its way to grant all that the Indian representatives consider essential. Doubtless offers will be made, but in the Indian view these may not be sufficient. What, under the circumstances, is the wise course to pursue? How can it best be arranged to secure what the Government is willing to give, and at the same time to provide means of progressive improvement in the future? The suggestion is that, if the Government proposals do not come up to India's expectations as formulated in the scheme brought by the deputation, the Government offer should be considered, with a view to acceptance as an instalment, the points of difference being reserved for submission to Parliament, on the report of a Parliamentary Committee, with a view to further legislation.

It will be for India's representatives to consider whether they should not ask for a revival by statute of the periodical Parliamentary enquiries which, up to 1858, originated all the most notable improvements in the condition of India. The recent action of the Joint Committee of both Houses in dealing with the Indian Consolidation Bill on sound judicial lines must give India confidence that such Parliamentary Committees will give a fair hearing to Indian claims, so that, from

time to time, progress may be made in constituting India a free and prosperous partner in the British Empire.

THE ESSENTIAL PRINCIPLE

The essential principle of self-government was declared by Lord Hardinge, when he indicated the safe path of Indian reforms, founded on provincial autonomy, with a persistent, if gradual, transfer of authority from the official body to the representatives of the people. This, we trust, will be the direction in which Parliament will proceed. But in order that the Viceroy may be in a position to carry out the orders of the Home Government, it is absolutely necessary that his hands should be strengthened. At present the Viceroy is not master in his own household, the existing practice giving to the permanent officials an exceptional position of authority in his Executive Council. The constitution of that Council is determined by the India Act of 1861 (24 and 25 Victoria, c. 67), clause 3 providing that three out of five ordinary members of that council are to be persons who have been at least ten years in the service of the Crown in India and this provision has been interpreted for the sole benefit of the Covenanted Civil Service; so that the Viceroy's 'Cabinet' is unduly dominated by a group of permanent officials, who enter the Executive Council automatically, imbued with the spirit of the great centralised departments, over which they have been accustomed to preside. Under this system a Viceroy, fresh from England and unfamiliar with the routine of Indian administration, is not in a position to give effect to the policy prescribed for him by Parliament and the Crown.

The remedy is a simple one; for the time has come to amend clause 3 of the India Act of 1861, by providing that the Viceroy, with the approval of the Secretary of State, shall have power to nominate the members of his own Executive Council from among men, British and Indian, of ripe experience in public affairs, their term of office ending with that of the Viceroy. Such amendment will only be an extension of the beneficial

practice which for the last eighty years, have given to India the services of such men of mark as Lord Macaulay, Mr. James Wilson, Sir Charles Trevelyan, Sir Sumner Maine, Lord Hobhouse, Sir Courtney Ilbert ,and Sir Guy Wilson. In more recent times the solidarity of the Empire has been strengthened by the addition of distinguished Indians; Sir S. P. Sinha, Sir Ali Imam and Sir Sankaran Nair. It appears that this reform is a condition, precedent to all other reforms. The principle involved is one that has been accepted by all civilised Governments. In England, especially, it has been the settled rule that a member of the permanent Civil Service must be content to close his official career as the trusted and authoritative head of his department without aspiring to political governance. The task of a British Premier would be an impossible one if he was not free to choose the members of his Cabinet from among his political supporters and was compelled to accept as his colleagues the permanent chiefs of the administrative departments.

Congress-Moslem League Scheme

The following scheme of Reforms was passed as a definite step towards Self Government, at the 31st Session of the National Congress held at Lucknow on the 29th December 1916, and also adopted by the All-India Moslem League at its meeting held at the same place on the 31st December 1916.

I.—PROVINCIAL LEGISLATIVE COUNCILS

1. Provincial Legislative Councils shall consist of four-fifths elected and of one-fifth nominated members.

2. Their strength shall be not less than 125 members in the Major Provinces, and from 50 to 75 in the Minor Provinces.

3. The members of Councils should be elected directly by people on as broad a franchise as possible.

4. Adequate provision should be made for the representation of important minorities by election, and that the Mahomedans should be represented through special electorates on the Provincial Legislative Councils:

Punjab—One-half of the elected Indian Members.		
United Provinces—30 per cent	„	„
Bengal 40 per cent	„	„
Behar—26 per cent	„	„
Central Provinces—15 per cent	„	„
Madras—15 per cent	„	„
Bombay—One third	„	„

Provided that Mahomedans shall not participate in any of the other elections to the Legislative Councils.

Provided further that no bill, nor any clause thereof nor a resolution introduced by a non-official member affecting one or other community, which question is to be determined by the members of that community in the Legislative Council concerned, shall be proceed-

ed with, if three-fourths of the members of that community in the particular council, Imperial or Provincial, oppose the bill or any clause thereof or the resolution.

5. The head of the Provincial Government should not be the President of the Legislative Council, but the Council should have the right of electing its President.

6. The right of asking supplementary questions should not be restricted to the member putting the original question, but should be allowed to be exercised by any other member.

7. (a) Except customs, post, telegraph, mint, salt, opium, railways, army and navy, and tributes from Indian States, all other sources of revenue should be provincial.

(b) There should be no divided heads of revenue. The Government of India should be provided with fixed contributions being liable to revision when extraordinary and unforeseen contingencies render such revision necessary.

(c) The Provincial Council should have full authority to deal with all matters affecting the internal administration of the province, including the power to raise loans, to impose and alter taxation, and to vote on the Budget. All items of expenditure, and all proposals concerning ways and means for raising the necessary revenue should be embodied in Bills and submitted to the Provincial Council for adoption.

(d) Resolutions on all matters within the purview of the Provincial Government should be allowed for discussion in accordance with the rules made in that behalf by the Council itself.

(e) A resolution passed by the Legislative Council shall be binding on the Executive Government, unless vetoed by the Governor-in-Council, provided however that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

(f) A motion for adjournment may be brought forward for the discussion of a definite matter of

urgent public importance if supported by not less than one-eighth of the members present.

8. Any special meeting of the Council may be summoned on a requisition by not less than one-eighth of the members.

9. A Bill, other than a Money Bill, may be introduced in Council, in accordance with the rules made in that behalf by the council itself and the consent of the Government should not be required therefor.

10. All Bills passed by Provincial Legislatures shall have to receive the assent of the Governor before they become law, but may be vetoed by the Governor-General.

11. The term of office of the members shall be five years.

II. PROVINCIAL GOVERNMENTS

1. The head of every Provincial Government shall be a Governor who shall not ordinarily belong to the Indian Civil Service or any of the permanent services.

2. There shall be in every Province an Executive Council, which, with the Governor, shall constitute the Executive Government of the Province.

2. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Councils.

4. Not less than one-half of the members of the Executive Council shall consist of Indians to be elected by the elected members of the Provincial Legislative Council.

5. The term of office of the members shall be five years.

III. IMPERIAL LEGISLATIVE COUNCIL

1. The strength of the Imperial Legislative Council shall be 150.

2. Four-fifths of the members shall be elected.

3. The franchise for the Imperial Legislative Council should be widened as far as possible on the lines of the Mahomedan electorates and the elected members of the Provincial Legislative Councils should also form an electorate for the return of Members to the Imperial Legislative Council.

4. The President of the Council shall be elected by the Council itself.

5. The right of asking supplementary questions shall not be restricted to the member putting the original question, but should be allowed to be exercised by any other member.

6. Any special meeting of the Council may be summoned on a requisition by not less than one eighth of the members.

7. A Bill, other than a Money Bill, may be introduced in Council in accordance with rules made in that behalf by the Council itself, and the consent of the Executive Government should not be required therefor.

8. All Bills passed by the Council shall have to receive the assent of the Governor-General before they become law.

9. All financial proposals relating to sources of income and items of expenditure shall be embodied in Bills. Every such Bill and the Budget as a whole shall be submitted for the vote of the Imperial Legislative Council.

10. The term of office of members shall be five years.

11. The matters mentioned hereinbelow shall be exclusively under the control of the Imperial Legislative Council:—

(a) Matters in regard to which uniform Legislation for the whole of India is desirable.

(b) Provincial Legislation in so far as it may affect inter-provincial fiscal relations.

(c) Questions affecting purely Imperial Revenue, exeepting tributes from Indian States.

(d) Questions affecting purely Imperial expenditure, except that no resolution of the Imperial Legislative Council shall be binding on the Governor-General-in-Council in respect of Military charges for the defence of the country.

(e) The right of revising Indian tariffs and customs-duties, of imposing, altering, or removing any tax or cess, modifying the existing system of cur-

rency and banking, and granting any aids or bounties to any or all deserving and nascent industries of the country.

(f) Resolutions on all matters relating to the administration of the country as a whole.

12. A resolution passed by the Legislative Council should be binding on the Executive Government, unless vetoed by the Governor-General-in-Council provided, however, that if the Resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

13. A motion for adjournment may be brought forward for the discussion of a definite matter of urgent public importance, if supported by not less than one-eighth of the members present.

14. The Crown may exercise its power of veto in regard to a Bill passed by a Provincial Legislative Council or by the Imperial Legislative Council within twelve months from the date on which it is passed, and the Bill shall cease to have effect as from the date on which the fact of such veto is made known to the Legislative Council concerned.

15. The Imperial Legislative Council shall have no power to interfere with the Government of India's direction of the military affairs and the foreign political relations of India, including the declaration of war, the making of peace and the entering into treaties.

IV. THE GOVERNMENT OF INDIA

1. The Governor-General of India will be the head of the Government of India.

2. He will have an Executive Council, half of whom shall be Indians.

3. The Indian members should be elected by the elected members of the Imperial Legislative Council.

4. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Council of the Governor-General.

5. The power of making all appointments in Imperial Civil Services shall vest in the Governm

of India as constituted under this scheme, and subject to any laws that may be made by the Imperial Legislative Council.

6. The Government of India shall not ordinarily interfere in the local affairs of province, and powers not specifically given to a Provincial Government shall be deemed to be vested in the former. The authority of the Government of India will ordinarily be limited to general supervision and superintendence over the Provincial Governments.

7. In legislative and administrative matters, the Government of India, as constituted under this scheme, shall, as far as possible, be independent of the Secretary of State.

8. A system of independent audit of the accounts of the Government of India should be instituted.

V. THE SECRETARY OF STATE IN COUNCIL

1. The Council of the Secretary of State for India should be abolished.

2. The salary of the Secretary of State should be placed on the British Estimates.

3. The Secretary of State should, as far as possible, occupy the same position in relation to the Government of India as the Secretary of State for the Colonies in relation to the Governments of the Self-Governing Dominions.

4. The Secretary of State for India should be assisted by two Permanent Under-Secretaries, one of whom should always be an Indian.

VI. MILITARY AND OTHER MATTERS OF POLICY

1. The military and naval services of His Majesty, both in their commissioned and non-commissioned ranks, should be thrown open to Indians and adequate provision should be made for their selection, training and instruction in India.

2. Indians should be allowed to enlist as volunteers.

3. Indians should be placed on a footing of equality in respect of status and rights of citizenship with other subjects of His Majesty the King throughout the Empire.

4. The Executive Officers in India shall have no judicial powers entrusted to them, and the judiciary in every Province shall be placed under the highest Court of that Province.

Lord Islington's Scheme

In the course of a speech at the Oxford Summer Meeting in July 1917, *Lord Islington, the Under Secretary of State for India, outlined the following scheme for the constitutional development of India* :

I would say at once that if the ideals of the British Empire stand for anything, India's future must be in accord with those ideals and her ultimate ambition which she must one day realize after successfully surmounting the difficulties before her is the attainment of Responsible Government within the Empire. This ideal, which took this country many centuries to achieve, cannot be reached in a day, nor can it be given by Acts of Parliament alone. The journey may be long and arduous, and the dangers of a false step cannot be ignored. It is the task of British statesmanship, which alone has the necessary experience to guide India so that she may not falter or relapse on the way.

Immediate developments should begin in the Panchayats (the organs of village Government), in Municipalities, and in the District Boards administering country areas. With regard to the Presidency and Provincial Governments and the Legislative Councils, he was of opinion that much could be done with great benefit in the direction of decentralization. The development of the country had outstripped the capacity of any central Government to exercise effective administration. Such matters as police, education, agriculture, forestry and public works and industrial enterprise might be handed over entirely to the larger of the Provincial Governments. Each Province should be allowed to work out its own redemption by itself in accordance with its own capacity.

They must aim more representative control in Local Governments through the medium of elected representatives, perhaps best done by the creation on the French plan of Standing Committees of the Legislative Councils. He would like to see a Government consisting of a Governor and four Executive Councillors (nominated by the Crown on the recommendation of the Governor), two Europeans and two Indians, and he would regard members of the services as eligible for the post of Governor. If in deference to the Legislative Council, the Government modified their policy, the Council would have to shoulder responsibility for the results. That was the essence of responsible Government as we understood it, and to secure its introduction into Indian Local Government a suitable system of election was important. Th method of election should continue as at present based on a community franchise, but where possible the system of election should be direct instead of, as now in certain cases, indirect.

Adequate powers of taxation must be given to the Local Governments. Some means must be found of eaving provincial balances to a great extent than at present under the control of the Local Governments, though power would have to be retained by superior authority to intervene in the last resort should a province squander its resources.

But even if these changes, and they are all changes which could only be introduced slowly and on careful enquiry, were made, the Government of India would still, and always must remain responsible for the Imperial side—or I must say federal side—of Indian Government. It is impossible that the Government of India should ever divest itself of the control over the Army and the forces for the local naval defences, foreign relations, communications (including railways, posts and telegraphs), customs, currency, all of which Services are of wider than local range. The liberalisation of the supreme legislative and executive councils would follow the lines which I have sketched in the case of the provincial councils, but in view of the greater

importance of the matters in which the Imperial authorities have to deal, progress would necessarily be slower and would be dependent on the success of the changes in the Provincial Governments.

If all the changes that I have mentioned could in due time be carried out, the picture that India would present would resemble, with the necessary differences entailed by local conditions, in particular the existence of the native States, that of the Commonwealth of Australia which as you know, is a Federation of Self-Governing States in which the central authority exercises control over matters affecting equally all the component units.

In any final scheme of Indian Self-Government provision must be made for the Native States, which in area and population cover one-third of the Peninsula. They did not form part of His Majesty's Dominions and though proud to recognize the paramountcy of the British Crown their rulers enjoyed almost complete internal sovereignty. Lord Islington held that those Native States must come into the scheme of their own free will, their treaty rights must be scrupulously respected, and nothing must be done to impair the personal link which binds them to the Crown.

British and Indian public men and officials must for years to come carve out in joint efforts the destinies of British India. Their continued co-operation is a vital element in this great undertaking as every patriotic Indian who loves his country must realize. The opportunity for India is great. May it be granted that both races, British and Indian, will with single-minded endeavour, combine to avail themselves of the occasion.

Mr. Gokhale's Scheme

With reference to this Scheme the Hon. Mr. V. S. Srinivasa Sastri (Mr. Gokhale's successor as President of the Servants of India Society) stated in a communication to the Press, that it was only a draft prepared by Mr. Gokhale a few months after the outbreak of the war, at the instance of H. E. Lord Willingdon, as a Scheme of Reforms to be inaugurated by Government of their own accord to avoid the then growing discontent of the country. H. H. the Aga Khan who was one of the few consulted by Mr. Gokhale published this scheme in August 1917.

PROVINCIAL AUTONOMY

The grant of Provincial Autonomy foreshadowed in the Delhi Despatch, would be a fitting concession to make to the people of India at the close of the war. This will involve the two-fold operation of freeing the Provincial Governments on one side from the greater part of the control which is at present exercised over them by the Government of India and the Secretary of State in connection with the internal administration of the country, and substituting on the other, in place of the control so removed, the control of the representatives of tax-payers through Provincial Legislative Councils. I indicate below in brief outline the form of administration that should be set up in different Provinces to carry out this idea.

Each Province should have :—

1. A Governor appointed from England at the head of the administration.

2. A Cabinet or Executive Council of six members three of whom should be Englishmen and three Indians with the following portfolio :—

(*a*) Home (including Law and Justice).

(*b*) Finance.

(*c*) Agriculture, Irrigation and Public Works.

(*d*) Education.
(*e*) Local Self-Government (including Sanitation and Medical Relief.)
(*f*) Industries and Commerce.

While members of the Indian Civil Service should be eligible for appointment to the Executive Council, no place in the Council should be reserved for them, the best men available being taken both English and Indian.

(3) A Legislative Council of between 75 and 100 Members of whom not less than four-fifths should be elected by different constituencies and interests. Thus in the Bombay Presidency, roughly speaking, each District should return two members, one representing Municipalities and the other District and Taluk Boards. The City of Bombay should have about ten members allotted to it. Bodies in the Mofussil like the Karachi Chamber, Ahmedabad mill-owners, Deccan Sardars should have a member each. Then there would be the special representation of Mahomedans and here and there a member may have to be given to communities like the Lingayats, where they are strong. There should be no nominated non-officia members except as experts. A few official members may be added by the Governor as experts or to assist in representing the Executive Government.

4. The relations between the Executive Government and the Legislative Council so constituted should be roughly similar to those between the Imperial Government and the Reichstag in Germany. The Council will have to pass all Provincial legislation and its assent will be necessary to additions to or changes in Provincial taxation. The Budget too will have to come to it for discussion and its resolutions in connection with it, as also on questions of general administration will have to be given effect to unless vetoed by the Governor. More frequent meetings or longer continuous sittings will also have to be provided for. But the members of the Executive Government shall not depend, individually or collectively, on the support of a majority of the Council, for holding their offices.

5. The Provincial Government, so reconstituted and working under the control of the Legislative Council, as outlined above, should have complete charge of the internal administration of the Province and it should have virtually independent financial powers, the present financial relations between it and the Government of India being largely revised, —and to some extent even reversed. The revenue under Salt, Customs, Tributes, Railway, Post, Telegraph and Mint should belong exclusively to the Government of India, the services being Imperial. While that under Land Revenue, including Irrigation, Excise, Forests, Assessed taxes, Stamps and Registration should belong to the Provincial Government the services being Provincial. As under this division, the revenue falling to the Provincial Govèrnment will be in excess of its existing requirements and that assigned to the Government of India will fall short of its present expenditure, the Provincial Government should be required to make an annual contribution to the Government of India fixed for periods of five years at a time. Subject to this arrangement the Imperial and the Provincial Governments should develop their separate systems of finance, the Provincial Governments being given powers of taxation and borrowing within certain limits.

Such a scheme of Provincial Autonomy will be incomplete unless it is accompained by (*a*) liberalizing of the present form of District administration and (*b*) a great extension of Local Self-Government. For (*a*) it will be necessary to abolish the Commissionerships of Divisions except where special reasons may exist for their being maintained as in Sind and to associate small District Councils, partly elected and partly nominated, with the Collector for whom most of the present powers of the Commissioners could then be transferred—the functions of the Councils being advisory to begin with. For (*b*) Village Panchayats, partly elected and partly nominated should be created for villages and groups of villages and Municipal Boards in towns and Taluk Boards, the Talukas

should be made wholly elected bodies, the Provincial Government reserving to itself and exercising stringent powers of control. A portion of the excise revenue should be made over to those bodies so that they may have adequate resources at their disposal for the due performance of their duties. The District being too large an area for efficient Local Self-Government by an honorary agency, the functions of the District Boards should be strictly limited and the Collector should continue to be its ex-officio President.

THE GOVERNMENT OF INDIA

1. The Provinces being thus rendered practically autonomous, the Constitution of the Executive Council or the Cabinet of the Viceroy will have to be correspondingly altered. At present there are four members in that Council with portfolios which concern the internal administration of the country,—namely, Home, Agriculture, Education and Industries and Commerce. As all internal administration will now be made over to Provincial Governments and the Government of India will only retain in its hands nominal control to be exercised on very rare occasions, one member to be called member for the Interior should suffice in place of these four. It will, however, be necessary to create certain other portfolios and I would have the Council consist of the following six members at least two of whom shall always be Indians.

(a) Interior, (b) Finance, (c) Law, (d) Defence, (e) Communications (Railways, Post and Telegraph,) and (f) Foreign.

(a) The Legislative Council of the Viceroy should be styled the Legislative Assembly of India. Its members should be raised to about one hundred to begin with and its powers enlarged, but the principle of an official majority (for which perhaps it will suffice to substitute a nominated majority) should for the present be maintained, until sufficient experience has been gathered of the working of autonomous arrangements for Provinces. This will give the Government

of India a reserve power in connection with Provincial administration to be exercised in emergencies. Thus if a Provincial Legislative Council persistently decline to pass legislation which the Government regard to be essential in the vital interests of the Province it could be passed by the Government of India in its Legislative Assembly over the head of the Province. Such occasions would be extremely rare, but the reserve power will give a sense of security to the authorities and will induce them to enter on the great experiment of Provincial Autonomy with greater readiness. Subject to this principle of an official or nominated majority being for the present maintained the assembly should have increased opportunities of influencing the policy of the Government by discussion, questions connected with the Army and Navy (to be now created) being placed on a level with other questions. In fiscal matters the Government of India so constituted should be freed from the control of the Secretary of State whose control in other matters too should be largely reduced, his Council being abolished and his position steadily approximated to that of the Secretary of State for the Colonies.

Commissions in the Army and Navy must now be given to Indians, with proper facilities for Military and Naval instructions.

German East Africa, if conquered from the Germans, should be reserved for Indian colonization and should be handed over to the Government of India.

The Declaration of August 20, 1917

The following is the text of the pronouncement made in the House of Commons on August 20, 1917, *by the Rt. Hon. Mr. E. S. Montagu, the Secretary of State for India on behalf of His Majesty's Government* :—

"The Policy of His Majesty's Government, with which the Government of India are in complete accord, is that of increasing the association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India, as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible, and that it is of the highest importance, as a preliminary to considering what these steps should be, that there should be a free and informal exchange of opinion between those in authority at Home and in India. His Majesty's Government have accordingly decided, with His Majesty's approval, that I should accept the Viceroy's invitation to proceed to India to discuss these matters with the Viceroy and the Government of India, to consider with the Viceroy the views of Local Governments, and to receive the suggestions of representative bodies and others. I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom new opportunities of service will thus be conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility. Ample opportunity will be afforded for the public discussion of the proposals, which will be submitted in due course to Parliament."

The Indo-British Scheme

A scheme of Constitutional Reforms was drawn up as a result of informal discussions between some Europeans and Indians in Calcutta and Darjeeling. The text of the Scheme is as follows :—

We agree :—

(1) to accept the pronouncement of the 20th of August as common ground, within the limits of which the discussion can take place ;

(2) that, having accepted the pronouncement, we are not only free, but also bound to consider the new situation created thereby with open minds ;

(3) that the existing provinces need not be assumed to be areas suitable as a basis for responsible government, but such areas must be settled at the moment when the first instalment of responsible government is granted ;

(4) that the first steps towards responsible government cannot be taken in the sphere of the central Government;

(5 that, during the period of transition, governments of two types must co-exist, the one responsible to electorates for specific powers, the other to the Secretary of State for all other powers ; that the responsibility of each must in fact to be a real one, and their powers must be sufficient to enable them to discharge that responsibility efficiently ;

(6) that a share of the consolidated revenue of the province should be handed over to the Provincial State Governments, proportionate to the

cost of the functions transferred to them; in addition to which should be handed over certain specific powers of taxation, such as would fall on the Provincial State electorate itself;

(7) that further additions to the powers of provincial States, and to their share of existing provincial revenues should be considered by Commissioners reporting direct to Parliament, at intervals of, say, seven years, such interval to be specified at the outset; and that in the intervening periods no demand for further executive powers, or for a further share of existing revenues, should be entertained;

(8) the legislation passed by Provincial State Governments affecting commercial and industrial undertakings should be reserved for the sanction of the Secretary of State; and a limit of time should be laid down, within which representations from the interests affected can be received by him ; and further, that instructions to this effect should be included in a schedule attached to the Act of Parliament in which the scheme of reforms is embodied;

(9) that the Provincial Governments, responsible to the Government of India and the Secretary of State, shall have power to do or repair public works, upon which the value of invested capital depends, neglect of which is due to the default of Provincial State Governments, to charge the cost thereof to the revenues assigned to the Government in default;

(10) that the Government of India must have the right to recall powers which have been abused or neglected; and in extreme cases to suspend the Governments of Provincial States. Such powers shall always be subject to the sanction of the Secretary of State and of Parliament; but in cases of emergency the

Government of India may exercise the power, subject to subsequent sanction of the Secretary of State and of Parliament;

(11) that (*a*) wherever industrial and commercial interests are located, adequate representation should be accorded; (*b*) adequate representation should be accorded to Mahomedans, Land-holders, and minorities generally;

(12) that the specific points to which our agreement relates and the outlines of the scheme sketched in these proposals be laid down in an Act of Parliament: but that all questions within those outlines, relating to franchises, constitutions, power, finances, and such like details be remitted to not more than five Commissioners named under the Act, to be dealt with in India by the Commissioners, in consultation with Governments and People, the arrangements of the Commissioners to be given the force of law by Orders in Council.

Bijoy Chand Mahatap Maharaj Dhiraj of Burdwan.
Maharajah Sir Prodyat Kumar Tagore.
Kshaunish Chandra Roy, Maharajah Bahadur of Nadia.
Girijanath Roy, Maharajah Bahadur of Dinajpur.
Sir K. G. Gupta.
Nawab Serajul Islam.
Rajah Kisori Lal Goswami.
Provash Chunder Mitter.
Surendranath Roy.
Bhobendra Chunder Roy.
C. B. Gregson.
G. Hennessy.
W. H. Arden Wood.
W. T. Grice.
A. R. Murray.
R. L. B. Gall.
James E. Roy.
A. D. Pickford.

J. Wyness.
W. R. Rae.
W. A. Ironside.
A. W. C. Chaplin.
A. J. Pugh.
W. H. Phelps.
S. R. Das.
B. C. Mitter.
S. C. Roy Chaudhuri.
Amulya Dhone Addy.
T. P. Ghose.
R. D. Mehta.
Shib Shikareswar Roy.
S. Mahboob Ally.
A. Sahrawardy.
K. B. Dutt.
Bijoy Chatterjee
H. D. Bose.
C. C. Ghose
B. L. Mitter.
R. C. Bonnerjee.

The Aga Khan's Scheme

The following details of the Aga Khan's scheme elaborated in his work on "India in Transition" was cabled to India by Reuter:—

It embodies a scheme of federal reform embracing Principalities as well as Provinces.

It shows that India is too vast and diversified for a successful unilateral form of free Government and proposes autonomous Provinces in which official executive responsibility would be vested in a Governor as directly representing the Sovereign. The Governorships should now be open to Indians confining the choice for some years hence to Ruling Princes, Bikanir for instance, who would leave their own territory for five years for this greater field. The Aga Khan recommends the adoption of the American principle of freedom of the executive from legislative control so far as tenure of office is concerned.

Provincial legislatures should be greatly enlarged, Bombay for example having 180 to 220 members in order to have a representative of every district, community and substantial interest. There should be a Senate or Upper House and the power of both Houses over the legislature and finance should be subject only to the veto of the Governor, but the Legislature might possess the right of removing by a three-fourths majority an unsuitable or incompetent Departmental head. There should be a royal Viceroy with a Prime Minister presiding over a Cabinet, chosing his colleagues under the Viceroy's guidance as he thought best.

After due establishment of a federal constitution room for Imperial legislation as distinct from questions of policy would be so small that the Central Legislature should be a Senate for which each great Province would send eight or ten representatives and each Native State would have representatives, beginning with seven for Hyderabad. Once internal federa-

tion was complete it would sooner or later attract Persia, Afghanistan and all principalities from Africa and similar countries into a freewill membership of a great South Asiatic federation of which Delhi would be the centre.

The need for building up a national army and a real Indian navy is emphasised after a survey of foreign relations as affected by Germany's Asiatic ambitions and the Pan-Turanian movement. The Aga Khan insists that a certain way of securing progressive civilisation, order, method and discipline to India lies in the creation of trusted local authorities natural to the soil and placing side by side with them the best British and Indian officials available to carry out with the consent of Government those measures from universal education to military service and political enfranchisement which have been instrumental in the evolution of all great law abiding nations.

There must be a final break with a Government deriving its authority wholly from without and the commencement from the lowest to the highest of the full co-operation of the people. These are means by which India will become a renewed, self-relying and sincerely loyal partner in a united Empire.

The Montagu-Chelmsford Scheme

A "GENERAL PICTURE."

Mr. Montagu and Lord Chelmsford give in the course of their joint report on Indian constitutional Reforms the following "general picture" of the progress which they intend and of the nature and order of the steps to be taken on the road :—

Our conception of the eventual future of India is a sisterhood of States, self-governing in all matters of purely local or provincial interest, in some cases corresponding to existing provinces, in others perhaps modified in area according to the character and economic interests of their people. Over this congeries of States would preside a central Government, increasingly representative of and responsible to the people of all of them; dealing with matters both internal and external, of common interest to the whole of India; acting as arbiter in inter-state relations, and representing the interests of all India on equal terms with the self-governing units of the British Empire. In this picture there is a place also for the Native States. It is possible that they too will wish to be associated for certain purposes with the organisation of British India, in such a way as to dedicate their peculiar qualities to the common service, without loss of individuality.

We conclude therefore that change in any one portion of the Indian polity will involve changes on parallel lines but by no means at an equal place in the other portions: and we claim that our proposals satisfy this fundamental principle. We begin with a great extension of local self-government so as to train the electorates in the matters which they will best understand. Simultaneously we provide for a substantial measure of self-government in the provinces and for better representation and more criticism in the Government of India and for fuller knowledge in Parliament. And we

suggest machinery by means of which at regular stages the element of responsibility can be continuously enlarged and that of official control continuously diminished, in a way that will guarantee ordered progress and afford an answer to intermediate representations and agitation.

In a matter of so great intricacy and importance it is obvious that full and public discussion is necessary. Pledges have been given that the opportunity for such discussion will be afforded. All that we ask therefore of His Majesty's Government for the present is that they will assent to the publication of our report. As we have said already, because it contemplates transitional arrangements, it is open to the criticisms which can always be effectively directed against all such plans. Hybrid executives, limited responsibility, assemblies partly elected and partly nominated, divisions of functions, reservations general or particular are devices that can have no permanent abiding place. They bear on their faces their transitional character; and they can be worked only if it is clearly recognised that that is their justification and their purpose. They cannot be so devised as to be logical. They must be charged with potentialities of friction. Hope of avoiding mischief lies in facing the fact that they are temporary expedients for training purposes, and in providing that the goal is not merely kept in sight but made attainable, not by agitation but by the operation of machinery inherent in the scheme itself. The principle laid down was the progressive realisation of responsible Government. We have chosen the province as the unit in which it should be realised. Within that unit we intend, so far as is possible, immediate and complete responsibility in local affairs: responsibility within provincial governments in certain subjects, first to constituencies and then to the legislative councils; the reservation of other matters to a part of the executive Government whose responsibility to Parliament shall for the time being continue; a machinery for periodic inquiry with a view to the progressive diminution and eventual disappearance of the reserved subjects.

If anything could enhance the sense of responsibility under which our recommendations are made in a matter fraught with consequences so immense, it would be the knowledge that even as we bring our report to an end far greater issues still hang in the balance upon the battle-fields of France. It is there and not in Delhi or Whitehall that the ultimate decision of India's future will be taken. The liberty of the world must be won before our deliberations over the liberalising of Indian political institutions can acquire any tangible meaning. We cannot close this document more fittingly than with the prayer, which we know all India echoes, that the principles of justice and freedom may be saved to the world by the splendid endurance and self-sacrifice of His Majesty's and the Allied armies.

GENERAL PROPOSITIONS.

The proposals set forth in the Report on Indian Constitutional Reform are really the application to practical conditions of four general propositions. For the sake of clearness, these propositions may be set out thus:—

I.—There should be, as far as possible, complete popular control in local bodies, and the largest possible independence for them of outside control.

II.—The provinces are the domain in which the earliest steps towards the progressive realisation of responsible Government should be taken. Some measure of responsibility should be given at once, and our aim is to give complete responsibility as soon as conditions admit. This involves at once giving the provinces the largest measure of independence, legislative, administrative and financial, of the Government of India which is compatible with the due discharge by the latter of its own responsibilities.

III.—The Government of India must remain wholly responsible to Parliament, and saving such responsibility its authority in essential matters must remain indisputable, pending experience of the effect of the

changes now to be introduced in the provinces. In the meantime the Indian Legislative Council should be enlarged, and made more representative, and its opportunities of influencing Government increased.

IV.—In proportion as the foregoing changes take effect, the control of Parliament and the Secretary of State over the Government of India and provincial Government must be relaxed.

WHAT THE PROPOSALS MEAN

What has been done by the proposals may be summarised in the words of the authors :—

What we have done is to afford Indians a fair share in the Government of the entire country, while providing in the provinces the means for them to attain the stage of responsible Government, to which the beginning of responsibility for the Government of India itself must be the sequel.

A Summary of the Proposals

H. E. the Viceroy and the Secretary of State for India at the conclusion of their report summarise their recommendations as follow. They point out that this summary is intended only to be a concise indication of the proposals and should be read with the paragraphs of the report noted by the figures :—

PARLIAMENT AND THE INDIA OFFICE.

1. The control of Parliament and the Secretary of State to be modified. Paras. 291,292.
2. The salary of the Secretary of State for India to be transferred to the Home Estimates. 294.
3. The House of Commons to be asked to appoint a Select Committee for Indian affairs. 295.
4. A Committee to be appointed to examine and report on the present constitution of the Council of India and on the India Office establishment. 293.

THE GOVERNMENT OF INDIA.

5. The Government of India to preserve indisputable authority on matters adjudged by it to be essential in the discharge of its responsibilities for peace, order and good government. 266.
6. A Privy Council for India to be established. 287.

THE EXECUTIVE.

7. To increase the Indian element in the Governor-General's Executive Council. 272.
8. To abolish the present statutory maximum for the Executive Council and the Statutory qualification for seats. 271.
9. To take power to appoint a limited number of members of the legislature to a position analogous to that of Parliamentary Under-Secretaries in Great Britain. 275.

THE LEGISLATURE.

10. To replace the present Legislative Council of the Governor-General by a Council of State and a Legislative Assembly. 273—278.
11. The Council of State to consist of 50 members

(exclusive of the Governor-General who will be President, with power to nominate a Vice-President). Of the members 21 to be elected and 29 nominated by the Governor-General. Of the nominated members 4 to be non-officials and not more than 25 (including the Members of the Executive Council) to be officials. 277.

The life of each Council of State to be 5 years. 278.

The Governor-General in Council to frame regulations as to the qualifications for membership of the Council of State. 278.

12. The Legislative Assembly to consist of about 100 members, of whom two-thirds to be elected and one-third nominated. Of the nominated members not less than one-third to be non-officials. 273.

The President of the Assembly to be nominated by the Governor-General. 275.

13. Official members of the Council of State to be eligible also for nomination to the Legislative Assembly. 277.

14. The Governor-General to have power to dissolve either the Council of State or the Legislative Assembly. 283.

15. The following procedure to be adopted for legislation. 279—282.

A. Government bills: ordinarily to be introduced and carried through the usual stages in the Assembly, and if passed by the Assembly to be sent to the Council of State. If the Council of State amend the bill in a manner which is unacceptable to the Assembly, the bill to be submitted to a joint session of both houses, unless the Governor-General in Council is prepared to certify that the amendments introduced by the Council are essential to the interest of peace and order or good Government (including in this term sound financial administration), in which case the Assembly not to have power to reject or modify such amendments. But in the event of leave to introduce being refused or the bill being thrown out at any stage, the Governor-General in Council to have the power, on certifying that the bill is within the formula

cited above, to refer it *de novo*, to the Council of State. The Governor-General in Council also to have the power in cases of emergency so certified to introduce the bill in the first instance in, and to pass it through, the Council of State, merely reporting it to the Assembly. 279.

B. Private bills : to be introduced in the chamber of which the mover is a member and on being passed by that chamber to be submitted to the other. Differences of opinion between the chambers to be settled by means of joint sessions. If, however, a bill emerge from the Assembly in a form which the Government think prejudicial to good administration, the Governor-General in Council to have power to certify it in the terms already cited and to submit or re-submit it to the Council of State ; the bill only to become law in the form given it by the Council. 280.

16. Resolutions to have effect only as recommendations. 284.

17. The Governor-General and the Crown to retain their respective powers of assent, reservation, or disallowance. 283.

18. The Governor-General to retain his existing power of making Ordinances and the Governor-General in Council his power of making Regulations. 276 and 283.

19. Nominated official members of the Council of State or the Legislative Assembly to have freedom of speech and vote except when Government otherwise directs. 275.

20. Any member of the Council of State or the Legislative Assembly to be entitled to ask supplementary questions. The Governor-General not to disallow a question on the ground that it cannot be answered consistently with the public interest, but power to be retained to disallow a question on the ground that the putting of it is inconsistent with the public interest. 236 and 286.

21. Rules governing the procedure for the transaction of business in the Council of State and the Legislative Assembly to be made in the first instance

by the Governor-General in Council. The Legislative Assembly and the Council of State to be entitled to modify their rules, subject to the sanction of the Governor-General. In each case such modifications not to require the sanction of the Secretary of State in Council and not to be laid before Parliament. 286.

22. Joint Standing Committees of the Council of State and the Legislative Assembly to be associated with as many departments of Government as possible. The Governor-General in Council to decide with which departments Standing Committees can be associated, and the head of the department concerned to decide what matters shall be referred to the Standing Committee. Two-thirds of each Standing Committee to be elected by ballot by the non-official members of the Legislative Assembly and the Council of State, one-third to be nominated by the Governor-General in Council. 285.

THE PROVINCES.

23. The Provincial Governments to be given the widest independence from superior control in legislative, administrative, and financial matters which is compatible with the due discharge of their own responsibilities by the Government of India. 189.

24. Responsible Government in the provinces to be attained first by the devolution of responsibility in certain subjects called hereafter the transferred subjects (all other subjects being called reserved subjects), and then by gradually increasing this devolution by successive stages until complete responsibility is reached. 215, 218, 219, 238, and 260.

PROVINCIAL EXECUTIVES.

25. The Executive Government in a province to consist of a Governor and Executive Council, a Minister or Ministers nominated by the Governor from the elected members of the Legislative Council, and an additional Member or Members without portfolios. 214, 218 and 220.

26. The Executive Council to consist of two members, one of whom will be an Indian. 218.

Reserved subjects to be in the charge of the Governor and the Members of the Executive Council. 218.

27. The Minister or Ministers to be appointed for the term of the Legislative Council, and to have charge of the transferred subjects. 218, 219.

28. The additional Member or Members to be appointed by the Governor from among his senior officials for purposes of consultation and advice only. 220.

29. The Government thus constituted to deliberate generally as a whole, but the Governor to have power to summon either part of his Government to deliberate with him separately. Decisions on reserved subjects and on the supply for them in the provincial budget to rest with the Governor and his Executive Council; decisions on transferred subjects and the supply for them with the Governor and Ministers. 219, 221.

30. Power to be taken to appoint a limited number of members of the Legislative Council to a position analogous to that of the Parliamentary Under-Secretaries in Great Britain. 224.

PROVINCIAL LEGISLATURES.

31. In each province an enlarged Legislative Council with a substantial elected majority to be established. The Council to consist of (1) members elected on as broad a franchise as possible; (2) nominated including (*a*) official and (*b*) non-official members; and (3) ex-officio members. The franchise and the composition of the Legislative Council to be determined by regulations to be made on the advice of the Committee described in paragraph 53 by the Governor-General in Council, with the sanction of the Secretary of State, and laid before Parliament. 225, 232, 233.

32. The Governor to be President of the Legislative Council with power to appoint a Vice-President. 236.

33. The Governor to have power to dissolve the Legislative Council. 254.

34. Resolutions (except on the budget) to have effect only as recommendations. 237.

35. Nominated official members to have freedom of

speech and vote except when Government otherwise directs. 233.

36. Any members of the Legislative Council to be entitled to ask supplementary questions. 236.

37. The existing rules governing the procedure for the transaction of business to continue, but the Legislative Council to have power to modify them with the sanction of the Governor. 236.

38. Standing Committees of the Legislative Council to be formed and attached to each department, or to groups of departments. These Committees to consist of members elected by the Legislative Council, of the heads of the departments concerned, and the Member or Minister, who would preside. 235.

39. Legislation on all subjects normally to be passed in the Legislative Council. Exceptional procedure is provided in the succeeding paragraphs. 252.

40. The Governor to have power to certify that a bill dealing with reserved subjects is essential either for the discharge of his responsibility for the peace or tranquillity of the province or of any part thereof, or for the discharge of his responsibility for reserved subjects. The bill will then, with this certificate, be published in the *Gazette*. It will be introduced and read in the Legislative Council, and, after discussion on its general principles, will be referred to a Grand Committee: but the Legislative Council may require the Governor to refer to the Government of India, whose decision shall be final, the question whether he has rightly decided that the bill which he has certified was concerned with a reserved subject. 252.

The Governor not to certify a bill if he is of opinion that the question of the enactment of the legislation may safely be left to the Legislative Council. 252.

41. The Grand Committee (the composition of which may vary according to the subject-matter of the bill) to comprise from 40 to 50 per cent. of the Legislative Council. The members to be chosen partly by election by ballot, partly by nomination. The Governor to have power to nominate a bare majority (in addition to himself), but not more than two-thirds of the nominated members to be officials. 252.

42. The bill as passed in Grand Committee to be reported to the Legislative Council, which may again discuss it generally within such time limits as may be laid down, but may not amend it except on the motion of a Member of the Executive Council, or reject it. After such discussion the bill to pass automatically, but during such discussion the Legislative Council may record by resolution any objection felt to the principle or details and any such resolution to be transmitted with the Act to the Governor-General and the Secretary of State. 253.

43. Any Member of the Executive Council to have the right to challenge the whole or any part of a bill on its introduction, or any amendment when moved, on the ground that it trenches on the reserved field of legislation. The Governor to have the choice then either of allowing the bill to proceed in the Legislative Council, or of certifying the bill, clause, or amendment. If he certifies the bill, clause, or amendment the Governor may either decline to allow it to be discussed, or suggest to the Legislative Council an amended bill or clause, or at the request of the Legislative Council refer the bill to a Grand Committee. 254.

44. All provincial legislation to require the assent of the Governor and the Governor-General and to be subject to disallowance by His Majesty. 254.

45. The veto of the Governor to include power of return for amendment. 254.

46. The Governor-General to have power to reserve Provincial Acts. 254.

FINANCE.

47. A complete separation to be made between Indian and provincial heads of revenue. 200, 201.

48. Provincial contributions to the Government of India to be the first charge on Provincial revenues. 206 and 256.

49. Provincial Governments to have certain powers of taxation and of borrowing. 210, 211.

50. The budget to be laid before the Legislative Council. If the Legislative Council refuses to accept the budget proposals for reserved subjects the Governor in Council to have power to restore the whole or

any part of the original allotment, on the Governor's certifying that, for reasons to be stated, such restoration is in his opinion essential either to the peace or tranquillity of the province or any part thereof, or to the discharge of his responsibility for reserved subjects. Except in so far as he exercises this power, the budget to be altered so as to give effect to resolutions of the Legislative Council. 256.

LOCAL SELF-GOVERNMENT.

51. Complete popular control in local bodies to be established as far as possible. 188.

PROVINCIAL CONSTITUTIONS.

52. Five years after the first meeting of the new Councils the Government of India to consider any applications addressed to it by a provincial Government or a provincial Legislative Council for the modification of the list of reserved and transferred subjects. In such cases the Government of India with the sanction of the Secretary of State to have power to transfer any reserved subject, or in case of serious maladministration to remove to the reserved list any subjects already transferred, and to have power also to order that the salary of the Ministers shall be specifically voted each year by the Legislative Council. The Legislative Council to have the right of deciding at the same or any subsequent time by resolution that such salary be specifically voted yearly. 260.

PRELIMINARY ACTION.

53. A Committee to be appointed consisting of a Chairman appointed from England, an official and an Indian non-official. This Committee to advise on the question of the separation of Indian from provincial functions, and to recommend which of the functions assigned to the province should be transferred subjects. An official and an Indian non-official in each province which it is at the time examining to be added to the Committee. 238.

54. A second Committee to be appointed, consisting of a Chairman appointed from England, two officials and two Indian non-officials, to examine constituencies, franchises, and the composition of the Legislative Council in each Province, and

of the Legislative Assembly. An official and an Indian non-official in each Province which it is at the time examining to be added to the Committee. 225.

55. The two Committees to have power to meet and confer. 238.

COMMISSION OF ENQUIRY.

56. A Commission to be appointed ten years after the first meeting of the new legislative bodies to review the constitutional position both as regards the Government of India and the provinces. The names of the Commissioners to be submitted for the approval of Parliament. Similar Commissions to be appointed at intervals of not more than twelve years. 261.

THE NATIVE STATES.

57. To establish a Council of Princes. 306.

58. The Council of Princes to appoint a Standing Committee. 307.

59. The Viceroy in his discretion to appoint a Commission, composed of a High Court Judge and one nominee of each of the parties, to advise in case of disputes between States, or between a State and a Local Government or the Government of India. 308.

60. Should the necessity arise of considering the question of depriving a Ruler of a State of any of his rights, dignities, or powers, or of debarring from succession any member of his family, the Viceroy to appoint a Commission to advise, consisting of a High Court Judge, two Ruling Princes, and two persons of high standing nominated by him. 309.

61. All States possessing full internal powers to have direct relations with the Government of India. 310.

62. Relations with Native States to be excluded from transfer to the Control of Provincial Legislative Council. 310.

63. Arrangements to be made for joint deliberation and discussion between the Council of Princes and the Council of State on matters of common interest. 278, 311.

THE PUBLIC SERVICES.

64. Any racial bars that still exist in regulations for appointment to the public services to be abolished. 315.

65. In addition to recruitment in England, where

such exists, a system of appointment to all the public services to be established in India. 316.

66. Precentages of recruitment in India, with definite rate of increase, to be fixed for all these services. 316, 317.

67. In the Indian Civil Service the percentage to be 33 per cent. of the superior posts, increasing annually by 1½ per cent. until the position is reviewed by the Commission (paragraph 55.) 317.

68. Rates of pay to be reconsidered with reference to the rise in the cost of living and the need for maintaining the standard of recruitment. Incremental time-scales to be introduced generally and increments to continue until the superior grade is attained. The maximum of ordinary pension to be raised to Rs. 6,000, payable at the rate of 1s. 9d. to the rupee, with special pensions for certain high appointments. Indian Civil Service annuities to be made non-contributory but contributions to continue to be funded. Leave rules to be reconsidered with a view to greater elasticity, reduction of excessive amounts of leave admissible, and concession of reduced leave on full pay. The accumulation of privilege leave up to four months to be considered. 318—321.

69. A rate of pay based on recruitment in India to be fixed for all public services, but a suitable allowance to be granted to persons recruited in Europe or on account of qualifications obtained in Europe, and the converse principle to be applied to Indians employed in Europe. 322.

ILLUSTRATIVE LIST I SHOWING PROVINCIAL SUBJECTS

(VIDE *PARAS* 212, 213, 238, *AND* 240)

SUBJECTS	REMARKS
1. Taxation for provincial purposes.	*Vide* para 210.
2. Borrowing on sole credit of provincial revenues.	*Vide* para 211.
3. Financial work on behalf of the Government of India *(e.g.,* collection of income-tax, etc.)	Subject to any restrictions or orders of the Government of India.
4. The appointment, conditions of service, and control of all provincial services.	Subject to any existing privileges enjoyed by those now in service.
5. Maintenance of law and order:	
i Administration of criminal justice.	The powers of the Government of India to suspend or remit sentences and the power of the Viceroy to pardon to be maintained. Existing privileges of High Courts to be continued. Uniformity to be maintained as regards the Codes, Evidence Act, etc.
ii Police, including railway police.	The Director of Central Intelligence to remain under the Government of India.
iii Prisons	

SUBJECTS	REMARKS
iv Criminal tribes.	The co-ordination by the Government of India of the work in different provinces requires consideration.
v Working of particular Acts, *e.g.*, incitements to crime, seditious meetings, infanticide, press, arms, European vagrancy.	Legislation to remain with the Government of India : Administration to be provincial.
vi Poisons.	
vii Gambling.	
viii Dramatic performances and cinematographs.	
iv Coroners.	
6. Land revenue administration : Assessment and collection of land revenue, maintenance and procedure of revenue establishments, maintenance of land records, surveys for revenue purposes, records of rights, special laws regarding land tenures, relations of land holders and tenants, collection of rent, court of wards, encumbered and attached estates, famine, land improvement and agricultural loans, resumption of revenue free grants, diluvion and alluvion, colonisation and disposal of Crown lands.	

7. Agriculture:	
Civil Veterinary and live stock, diseases of animals, research institutes and demonstration farms, agricultural forests, and industries connected with agriculture.	
8. Forests and forest products.	
9. Fisheries and connected industries; and river conservancy.	
10. Public Works.	
Roads and buildings, and major and minor irrigation.	
Tramways, light and feeder railways.	So far as powers may be given by the Government of India.
Drainage and embankments.	
11. Education:	
Primary, secondary, colleges, technical and universities: also reformatories and industrial schools.	Except for universities serving more than one province and some Chiefs' Colleges. The case of the Indian Universities Act to be specially considered.
12. Medical and Sanitary:	
Public health, Hospitals, dispensaries leper asy.ums, Pasteur Institutes, sanatoria and matters relating to medical institutions: intra-provincial pilgrimages.	Except for Railway arrangements.

13. Local Self-Government, rural and urban : Provisions for public health, safety and convenience, constitution of local authorities —municipal rates, taxes, loans, roads, bridges, ferries, tolls, markets, pounds, fairs, exhibitions, parks, open spaces, museums, libraries, art galleries, reading rooms, building regulations, town planning, housing improvements, disorderly houses, lodging houses, sarais, hackney carriages, registration of carts, nuisances, water supply, prevention of fires, regulations for sale of food and drink, smoke nuisance, disposal of the dead, bathing and washing places, warehouses, drains and sewers, control of animals, surveys for municipal purposes, advertisements and anything dealt with in existing municipal or local Self-Government Acts, and also any matters declared by the Government of India to be included in local Self-Government.	
14. Franchise, electoral land, organisation of constituencies.	*Vide* para 225. Eventually provincial.

15. Civil Justice: Administration, including village courts, legal practitioners, law reports, local Acts and interpretation of local Acts. Administrator-General and Official Trustees Acts, management of private trusts, lunacy, registration of deeds and documents.	Power of legislation to remain with Government of India. Administration to be provincial.
16. Excise, intoxicating liquors and drugs, control of breweries and distilleries.	
17. Scheduled districts: Intra-provincial territorial arrangements.	
18. Land acquisition.	The Government of India Act on the subject to remain, but the advisability of provincial variations to be considered.
19. Industrial matters: Factories, dangerous and offensive trades, inland steam vessels and steam-boilers, registration of labour, labour exchanges, provident funds, industrial health insurance, friendly societies, apprenticeships, accident insurance. Electricity, petroleum, explosives, mines, geological survey for minerals. Development of arts and crafts and local industries.	As these develop.

SUBJECTS	REMARKS
20. Co-operative credit.	The power of legislation normallyto remain withthe Government of India, though amendments to the principal Act might be permissible to the provinces. Administration to be provincial.
21. Business concerns : Banks, insurance and other companies	The power of legislation to remain with the Government of India. Provinces to have such administrative powers as the Government of India may permit.
22. Government Press : Stationery and printing.	The control of the Government of India over stationary raises the general question of the purchase of supplies.
23. Statistics : Registration of births, deaths, and marriages: collection of statistics for provincial purposes.	Power to secure uniformity to remain with the Government of India.
24. Inter-provincial immigration and emigration.	Subject to the control of the Government of India.
25. Protection of wild birds and animals, and cruelty to animals.	Subject to All-India restrictions.
26. Assessment and recovery of provincial Government demands	
27. Escheats and unclaimed property.	

28. Management of charitable endowments.	
29. Motor vehicles.	Some Government of India legislation is necessary. Provinces to have powers not conflicting therewith.

ILLUSTRATIVE LIST II. SHOWING TRANSFERRED SUBJECTS

(VIDE *PARAS* 212, 213, 238 *AND* 240)

SUBJECTS	REMARKS
1. Taxation for provincial purposes. 2. Local Self-Government, rural and urban, *viz.*, provisions for public health, safety and convenience, constitution of local authorities —municipal rates, taxes, loans, roads, bridges, ferries, tolls, markets, pounds, fairs, exhibitions, parks, open spaces, museums, libraries, art galleries, reading rooms, building regulations, town-planning, housing improvements, disorderly houses, lodging houses, sarais, hackney carriages, registration of carts,	The question of reserving to the executive Council the power of suspending defaulting local bodies to be considered.

nuisances, water-supply, prevention of fires, regulations for sale of food and drink, smoke nuisances, disposal of the dead, bathing and washing places, warehouses, drains and sewers, control of animals, surveys for municipal purposes, advertisements and anything dealt within existing municipal or local Self-Government Acts, and also any matters declared by the Government of India to be included in local Self-Government :

3. Registration of births, deaths and marriages, coroners, village Courts—Civil and Criminal—statistics for provincial purposes.

4. Education :

Primary, Secondary and Technical.

5. Medical and Sanitary.

6. Agriculture :

Civil veterinary, diseases of animals, etc.

7. Co-operative credit.

8. Forests (unclassed and some protected).

9. Fisheries and connected industries and river conservancy.

10. Public Works :

Roads and buildings, minor irrigation, tram-

ways, light and feeder railways, drainage and embankments.

11. Excise:

Intoxicating liquors and drugs, including the control of breweries and distilleries.

12. Charitable endowments.

13. Development of arts and crafts and local industries.

14. Miscellaneous subjects, *viz.*, preservation of wild birds and animals, cruelty to animals, prevention of gambling, motor vehicles, registration of deeds and documents.

15. Franchise, electoral law, and constituencies. Not till after the Commission has reported.

NOTES OF ASSENT

Members of Mr. Montagu's Party

You have communicated to us who formed part of your mission to India the scheme of Constitutional Reforms proposed in the system of government in British India which has been worked out and agreed upon between His Excellency the Viceroy and yourself.

The scheme is the outcome of discussions in which you have given us the privilege of taking a continuous part and it embodies the conclusions arrived at in those discussions. We need only say therefore that we unitedly support your recommendations and are prepared to recommend their adoption to public opinion both in England and in India. In our view, while safeguarding Imperial interests and providing for the proper maintenance of law and order, they carry out His Majesty's Government's announcement of August 20th last by providing at once for such an instalment of self-government as is at present practicable and safe, together with statutory machinery for its development at subsequent stages.

We would further submit an urgent plea for publication of these proposals as soon as can be arranged. It is impossible now to avoid discussions on Constitutional Reforms in India whatever may be the objection to having such discussions in war time; but we are convinced that there would be serious inconveniences and even risks unless the further discussion of these subjects is guided by regard on the one hand to the substantial measure of reform that is now practicable and on the other to the limits within which reform at this stage must necessarily be confined. We would therefore wish to represent to you our strong view of the desirability of publishing the proposals for consideration both in England and in India without any undue delay.

We have only in conclusion to express to you our sense of the readiness with which you have throughout taken into consideration any suggestions which we have from time to time placed before you and to assure you that if at any later stage we can give any

assistance towards the passage of these reforms into law we shall gladly do whatever is in our power.

Donoughmore.
F. W. Duke.
Bhupendra Nath Basu.
Charles Roberts.

The Viceroy and Members of Council

We have the honour to inform you that we have been furnished with copies of the Report on Indian Constitutional Reforms drawn up by His Excellency the Viceroy and yourself for submission to His Majesty's Government.

2. Though this most important document represents views for which the signatories thereto are alone responsible, we desire to record the fact that it was framed after prolonged discussion with us. There are no doubt detailed recommendations on which some of us hold divergent views but we wish to convey our cordial support to the general policy which the report embodies.

Chelmsford.
C. C. Monro.
W. S. Meyer.
C. H. Hill.
C. Sankaran Nair.
G. R. Lowndes.
G.S Barnes.
W. H. Vincent.

The Secretary of State's Council

We have read carefully the Report on Constitutional Reforms in India. This report is the outcome of the announcement made by the Secretary of State on August 20th, 1917, that Government had decided that substantial steps were to be taken as soon as possible towards increasing the association of Indians in every branch of the administration and gradually developing self-governing institutions with a view to the progress of real responsible government in India.

Having these ends in view, the general policy of the Report meets with our unanimous support. We are of opinion that on the whole it recommends the measures best adapted to ensure safe and steady progress in the desired direction and, while reserving to ourselves freedom to reconsider the details of the various important measures suggested when public criticism has been received, we heartily support the policy as a whole.

We consider that in connection with the publication of the Report the various addresses and schemes put before the Secretary of State in India should be published or, if the bulk of the documents in question is so great as to render a complete reprint undesirable, that a very careful selection should be made from them embodying all shades of opinion.

L. Currie.
F. W. Duke.
M. Hammick.
Charles S. Bayley.
W. D. Sheppard.
Marshall Reid.
E. G. Barrow.
S. Aftab.
P. D. Pattani.
Bhupendra Nath Basu.

[Sir Arnold White and Mr. J. B. Brunyate were prevented by ill-health and absence from England respectively from considering the report.]

Mr. Montagu on the Report

In a speech that Mr. Montagu delivered to his constituency, Cambridgeshire, he took occasion to speak on Indian Reforms and in the course of his speech referred to the principles that must govern the constitution of the British Empire. He asked in one place in his address "How much more could India do for us and for herself now, had her industries only been developed in the past?" Mr. Montagu said:

Let us have it out once for all what was to be the principle of our Government in India. Was it to be domination, or subordination to the iron hand? Were we to have one principle of Government for India and another principle for the rest of the Empire? How had we built up South Africa, Australia, Canada and New Zealand? Was not the principle of the British Empire the principle of a Commonwealth of Free Nations? Were we not to extend it to India? Was the ideal of our Empire only geographical, not moral? What if we said that to our American Allies? What if when we talked of the British ideal of self-governing institutions, we drew the line somewhere in the Indian Ocean and said: "Thus far and no further?" That sort of theory was utterly impossible, utterly out of harmony with the British ideas.

He referred to democratic institutions in the East and remarked with truth:

"There were people who said that democratic institutions were impossible in the East and they pointed to Russia and Persia. They did not often point to Japan."

Reverting to the subject once again in the House of Commons on August 6, during the Debate on the Indian Budget, Mr. Montagu said:—

The principles of the Reform recommended therein were the logical and inevitable outcome of British Rule in India.

THE PRINCIPLE OF SELF-GOVERNMENT.

After reading the announcement of August 20th Mr. Montagu pointed out that the British Government

was committed to that principle which had been unchallenged by the Parliament for nearly a year. He emphasised most strongly that, while the House, if it wished, could tear up the proposals contained in the Report in order to find better, it could not, without perpetrating the grossest breach of faith in the history of the world, depart from the announcement of August 20. Therefore, we said to the extremists on both sides that they could not discuss the report unless they came within the four corners of the announcement. The announcement was inevitable. They could not say that Self-Government was right in every other part of the British Empire and deny it to India. If they were going to institute Responsible Government in India, the first thing to do was to give the people a vote on the broadest franchise possible and to give the representatives elected by them real and responsible work to do.

SALARY OF THE SECRETARY OF STATE

Detailing the proposals, Mr. Montagu said: The proposal that the salary of the Secretary of State should be borne in the estimates of the Commons was made simply in order that the Secretary of State's control of Indian affairs which could only be exercised in the name of the Commons should be brought into a proper relation to the Commons. And he was now not talking of financial unfairness whereby the Indian tax-payer was saddled with the cost of his salary, and the proposal if adopted would give greater reality to the Indian Debates in the Commons.

Mr. Montagu pleaded for the acceptance of the proposals, to appoint a Select Committee of the Commons on India affairs, because India would gain by a real, sustained, up to date, Parliamentary interest and the Parliament would be able, with less effort, to devote itself to its great Indian responsibilities. He scouted the suggestion that this would bring India into the party affairs and nothing was more likely to keep India out of party affairs than such a Committee drawn from all parties.

CONTROL OF PARLIAMENT

Continuing, Mr. Montagu emphasised: As responsible Government open in India the control from Home must be relaxed and there was no reason to fear that the British Empire had been built up by the control from Home being replaced by the control of the people of the country themselves. British connection has been strengthened, not weakened thereby. He suggested that a Committee of the Commons should consider how much control from Home should be relaxed.

THE RAJ

Dealing with the proposals regarding the Raj itself, Mr. Montagu said: The advantage of the machinery proposed seemed to him to be that it made the Legislative Council far more representative than at present and ensure representative criticism in Delhi and Simla, and it could be easily developed from time to time into an ordinary legislative machinery as soon as the Commons were ready to give up its control over the Indian Legislative. It had another advantage. If the suggested devolution from the Raj to the Provincial Governments were carried out the function left to the Raj would be those things, such as customs, defence and foreign policy, which were not concerned with British India alone. The proposed germ of the Second Chamber would indicate the road along which, in due course and when they wished to share these great Imperial purposes, the Princes of India, who were now rather isolated in the constitution, might join the Upper House in deliberating common affairs.

THE PROVINCES

Referring to the Provinces Mr. Montagu said: He little doubted that the transference of the subjects would proceed faster than many supposed. Mr. Montagu specially drew attention to the provision for a periodical review of the working of the whole scheme by a tribunal appointed by the Commons. He said that Lord Chelmsford and himself attached great importance to this. The knowledge that this review was

destined to come at stated intervals would make for the smooth working of the machine. The officials and non-officials, Englishmen and Indians would know that they could take their grievances to the Parliament itself at stated intervals. He believed that this necessarily could only work if we had this periodical review.

DEPRECATES CRITICISMS OF INDIANS

After inviting the criticism of the machinery, he proposed to enable the Indian Ministers and the Executive Councils to discharge their respective responsibilities, Mr. Montagu proceeded to deprecate stigmatising the defect of any section of the Indian people. He paid a high tribute to the patriotism of the Indians which was slowly becoming national.

LIMITATION NOT DUE TO DISTRUST

Alluding to those demanding Responsible Government immediately, he emphasised that the limitations of the Scheme were due not to a distrust or fear but to facts and time. It was useless to expect Parliament which was equally proud of India to give up the control of Indian affairs to a non-existent Indian electorate. It was impossible to pretend that the obstacles to democratic process, such as illiteracy, caste distinctions and communal antagonism, did not exist, but the true friends of India hoped and believed that they would tend to disappear with the development of free institutions. The reasons for the limitations would disappear with them and India would be entitled to claim from Parliament that the limitations should be swept away. But an Indian electorate must first be created, trained and exercised. Nobody had a right to reject the proposals because they did not give him to-day what he could only get to-morrow. The Indians were entitled to ask that they should be placed upon the road and have access to the Parliament at stated intervals for the hearing of their case. It seemed to him that there was no other course.

A GRAVE WARNING

Mr. Montagu uttered a grave warning regarding the danger of any agitation which might produce chaos and revolution, imperilling liberty, retarding progress and causing untold misery. These had frequently been caused by obstinacy, short-sightedness, arrogance and unwillingness to yield to the legitimate demand of a growing and living people. He concluded by strongly urging that the work of building up a free, self-governing, responsible India within the Empire should be begun now.

First Edition, 2,000 Copies, August 1918. Natesan & Co., Madras

The Montagu-Chelmsford Scheme

SOME CONSTRUCTIVE CRITICISMS

[*In fairness to the many eminent gentlemen whose criticisms on the Montagu-Chelmsford Scheme have been presented in these pages, the Editor desires to state that they have been considerably abridged from interviews and contributions to the press. The constructive criticisms herein collected are mainly of those who have acknowledged that the authors of the Scheme have been actuated by a genuine desire to promote the interests of India, and that the Scheme they have presented tentatively for discussion is a definite step in advance but that it requires important modifications to make it acceptable to the country at large.*]

The Hon. Sir S. P. Sinha

TOWARDS RESPONSIBLE GOVERNMENT

While responsible Government is not granted immediately, we have the pledge of substantial steps in that direction as soon as possible which I interpret to mean without avoidable delay. The only question is whether the steps recommended are sufficiently substantial or whether they go farther than they ought to be the case at present. People holding one view or the other have every right to put their views before the public, for such criticism alone can provide material for constructive effort. I unhesitatingly believe that the report lays the foundation of an Indian constitution which will contribute to solidarity and unity of the Empire in like degree as the genius of Sir H. Campbell-Bannerman achieved in the case of South Africa.

CONGRESS-LEAGUE SCHEME

As regards the Congress-League Scheme and the reasons stated for the non-acceptance of it in its entirety it should be borne in mind that many of its proposals find acceptance in principle and sometimes in actual detail. In one sense the difference between the Congress-League Scheme and the report is more of procedure than of principle. Both aim at the establishment of responsible Government within a reasonable time and both admittedly provide for a period of transition. The report is a considerable improvement on the scheme in two essential particulars. Firstly, it provides adequate machinery for the political education of the people from the very start ; secondly, it ensures a periodical examination of the political situation at definite intervals for the purpose of further advance and invests popular representatives with responsibility for certain important branches of administration immediately. The report has, I believe, successfully reconciled conflicting opinions. It is giving the Indian people large powers which, if properly exercised, will be of the greatest benefit to the country. It is giving them, to start with, real responsibility in some of the most important concerns of life, while reserving in the hands of the executive Government full powers in respect of the most vital elements of administration, namely, maintenance of law and order. In view of the criticism that popular powers will come only to the *intelligentsia*, the report suggests methods which will safeguard the interests

of the masses. I do not think there is so much room for friction as apprehended in certain quarters.

PROVINCIAL GOVERNMENTS

The machinery of the provincial Government will consist of two parts and there will be ample opportunity for mutual co-operation. In my judgment the method of working provided and the safeguards proposed should go far to ensure smooth working. It would not be wise to pin faith to any particular detailed solution of the great complex Indian political problem. There must be adjustment of view and reconciliation of apparently conflicting interests, if satisfactory progress is to be made. We Indians ask for a policy of trust and we look to the British people to repose confidence in us and not imagine that we seek power not so much for our benefit as for their detriment. We Indians on our side must also trust the policy of the Announcement and accept with confidence the assurance that it will be steadily carried on and that it is no more a temporary make-shift. The report at any rate makes it clear that there is no intention of interpreting the declaration that the Government must judge the time and measure of each advance as meaning that the goal may never be attained.

PERIODIC ENQUIRIES

Provision is made for a thorough investigation with a view to further steps after the first ten years and for periodic enquiries thereafter. What we in India have to remember is that we can contribute enormously to such periodic advance-

ment by the co-operation we give in treading this path. Though necessary changes in the framework of Government attract most attention, the matters discussed in the final chapter are one of surpassing interest and value.

COMMISSIONS TO INDIANS

The time is fully ripe for granting a substantial number of King's Commissions to Indians in the army, also for carrying out the important recommendation whereby one-third of the superior Indian Civil Service posts will be recruited in India with progressive extension.

INDUSTRIAL DEVELOPMENT

The recommendations respecting industrial development are the most encouraging reform. They are valuable in the degree and to the extent they tend to the development of the country and the most important phase of development needed is the industrial. It will be to the advantage not only of India but of the whole Empire from all points of view, military, social, political and economic, to press forward the industrial progress stimulated by the war. No time should be lost in giving effect to the recommendations of the report. What may be cheerfully accepted now may become out of date to-morrow. (*Interview with Reuter's representative, London, July* 5.)

The Hon. Mr. Bhupendra Nath Basu

The old stalwarts of the National Congress such as Dadabhai Naoroji, Pherozshah Mehta and W. C. Bonnerjee would have rejoiced at the Indian Report. The proposals provided steps to change

CRITICS INTO RESPONSIBLE ADMINISTRATORS

Naturally the scheme proceeded cautiously. Some might wish the scheme were bolder and gave the people greater powers to start with, but the Report was not final in the matter of the demarcation of functions between the Executive Government and the popular assembly, for it left this demarcation to a committee where Indians might establish that the allocation of functions as far as the popular assembly was concerned should be on a general scale.

PROVINCIAL GOVERNMENTS

The Report made it clear that for the first time Indian popular representatives would be put in charge of important departments of Government in the provinces, and would thus have a chance of proving their capacity and remedying the admitted deficiencies in education, sanitation, and local self-government. The department not transferred would have to be administered in consultation with popular ministers and subject to the criticism of popular assemblies which would be vastly stronger than the councils, and the Budget as a whole would be framed by the Executive Government and popular representation would be in the majority.

GOVERNMENT OF INDIA

The Lower House of the Government of India

would now be a really representative assembly; for, out of a hundred members no more than 22 might be officials. With regard to the machinery for carrying legislation regarded by the Government as essential, Mr. Basu emphasised that such machinery could only be utilised in exceptionally grave circumstances. He was sure that the moderation and wisdom of the Indian popular representatives would enable the Government to dispense with such machinery in most cases. Mr. Basu, in this connection, pointed out that only two non-official members out of 27 opposed the Press Bill. There was no opposition to the Defence of India Bill, and many drastic measures were supported by a large majority of the elected members. Indians would bear in mind that the course was laid and that the steps of onward progress were assured.

He did not doubt that his countrymen would realise the difficulties and would appreciate that the scheme was practically breaking new ground in many quarters, including India. It had sketched out

A BOLD, CONTINUOUS PROGRAMME

He did not fear the delay, which would not be much in the history of a nation's life. Many centuries had elapsed between Simon de Montfort and the Reform Bill of 1832, and India was fortunate that she would be spared this long delay owing to the experience gained by England. If Indians were able to shoulder their new responsibilities with strength, moderation and foresight he was convinced that before the first ten years

were over the Government of India might see its way, at least in some provinces, to vest much larger powers in the popular assembly. He spoke in this matter from experience. Since 1893 the Government of India had felt impelled to press onward, and their justification had been based upon the conduct of the elected members and now that the goal was much higher, he was sure that the attitude of Indians in the future would all the more justify speedier progress.

INDIAN LEADERS

India still possessed leaders equal in courage and wisdom to those he had named, and he was sure that under their guidance Indians would not commit the mistake of rejecting or belittling the scheme because it did not give them immediately all or much that they would like to have. "Such a mistake," Mr. Basu said, "will immensely strengthen our opponents and be an unpardonable offence to future generations in India, whose progress will be inevitably retarded. We have a long march before we reach the promised land, but we are well on the road, and I am sure that our people like the pilgrims to distant and difficult shrines in India, who bless their trusty guides, will bless those leading us to our goal. Mr. Montagu, Lord Chelmsford, Lord Morley, Lord Minto, and others not of our race or religion, but who have honestly worked for us, will receive the benediction of a united India now being escorted to the temple of her hopes and aspirations."—(*Interview with the "Times," July* 23.)

Hon. Babu Surendranath Banerjea

It is a momentous historical document. We may not be able to accept all its recommendations. We may think that in some important respects it needs modification and expansion ; but speaking for myself I have no hesitation in saying, and I trust I may be allowed to speak for you, that it marks a definite stage. It may be the first stage towards the progressive realisation of responsible government. Let me explain some of its leading recommendations. The Report says that the Province is the unit of reform ; and the spirit of the reform is concentrated on the Province. Firstly there will be a complete separation of Provincial and Imperial Revenues. There will be no divided Head of Revenues, the Provincial revenues will belong to the Province and will be administered by the Provincial authorities, subject to the payment of a contribution to the Government of India. Secondly every province will have a Governor in Council. There will be no more one man civilian rule for the provinces. This is a reform which the Congress scheme urges and it has been accepted.

Coming now to the constitution of the Legislative Councils we find that it is to contain a substantial majority of the elected element to be returned by direct representation upon as wide a franchise as possible.
We may however presume that the elected element in the Provincial Legislative Councils will consist of at least two-thirds. We hope it will be 4/5th of the entire number of members as re-

commended by the Congress. Thus it will be seen that in the Legislative Councils the popular element will dominate and will control the legislative work of the country. We shall be the makers of our laws subject to a reservation to which I shall presently refer.

Now let us pass on from the legislative to the executive machinery of the Government. The Executive Government will consist of the Executive Council and Ministers. Certain Departments will be transferred to the control of Ministers who are to be chosen by the Governor from among the elected members; there will be other Departments that will be reserved for official control. What these Departments will be, we do not yet know. They will differ in the different Provinces, and will be determined by a Commission to be appointed hereafter. A sample is given in the appendix. It includes Local Self-Government, Sanitation, Education (primary and secondary), Public Works, Agriculture, Local Industries, Co-operative Credit. Now these are the very Departments upon which our members in the different Councils have been concentrating their attention, moving resolutions, demanding greater attention and greater expenditure; and these will be entrusted to popular control. Evidently the Police and Law and Justice will now be excluded from popular control. The Executive Council will consist of two members, one Indian and one European; the Ministers will be one or more, according to the number of departments transferred. In Bengal we may safely say

that they will be two. . . . Now is not this a great advance, and are we to follow the advice of those who urge that the scheme should be abandoned? I am not prepared to do that. It would be suicidal, unpatriotic to do so. Let us press for its modification and expansion, but let us not give up what we have got. That would be contrary to the clearest dictates of common sense and the traditional wisdom of our sires who have always tried to improve their opportunities. Let us not repeat the blundering policy of the Irish which has indefinitely postponed the prospects of Irish Home Rule. But let us proceed. To every Department a Committee to be elected by the Council is to be attached. They will watch the operation of the Department, make enquiries and call for papers. They may move Resolutions in connection with the Department. This will be a valuable training in executive work. Nor is this all. The Governor may appoint from among the members of the Council persons holding a position analogous to that of Parliamentary Under-Secretaries. Now we come to the Budget. The control of the Budget is the crux of the whole situation.

Now the Budget will be framed by the Executive Government with a majority of the Indian element. The Legislative Council may pass any resolution it pleases on the budget, and such Resolutions will be binding on the Executive Government save and except where the Governor alters an allotment upon a reserved Department. I have no hesitation in saying that the Resolu-

tions on the Budget should be final. The veto is not likely to be used, while it introduces an element of unpopularity into the scheme.

The weakest part of the scheme is that relating to the Government of India. The machinery is left practically untouched. The number of elected members has been increased ; but no real power is given to the Council. The Government of India remains as autocratic as before. There is no hope, no promise of even a beginning being made in respect of responsible government within a decade. All this is unsatisfactory. The scheme must be materially modified in this respect.—*From a speech at Calcutta.*

Hon. Babu Amvica Charan Mazumdar

I am of opinion that if the Reform proposals as formulated in the published report, however imperfect they may be, are honestly carried out, they are sure to prove a real step in advance towards the progressive realization of responsible government in India. But it seems to me that the restrictions and limitations imposed apparently as safeguards through excessive caution, particularly as regards the appointment, function and tenure of office of the Minister and the unlimited power of veto of the Governor, must be either removed or relaxed as otherwise these so-called safeguards are likely to reduce the reality of the Reforms to a disappointing minimum.—*The Bengalee.*

The Hon. Sir D. E. Wacha*

GOVERNMENT OF INDIA

When we examine the proposals of the Secretary of State and the Viceroy in regard to the Government of India, we are unable to speak of the result of their labours in terms of approbation which we have deemed it but right to accord to their scheme for the provinces. We acknowledge that the changes that they have proposed in the structure of the Government of India, both in its executive and legislative aspects, are, in some respects, an improvement on present conditions and in no respect 'retrograde' or 'reactionary.'

NEED FOR AN EFFICIENT FINANCE COMMITTEE

The matter to which we attach the greatest importance is the right to control the Budget. This we get, at the very start, in the provinces, as we have already shown, in respect of *all* allotments on 'transferred' as well as 'reserved' subjects except a certificated allotment, or part of allotment, if any. In the Legislative Assembly of India, however, there is no improvement of any kind proposed in this respect, except, of course, such improvement as may indirectly follow from the fact of an elected majority making its recommendations by way of resolutions on the Budget. We think, however, that an advance

* From a joint memorandum issued by the Hon. Sir D. E. Wacha, Sir Narayan Chandavarkar, the Hon. Mr. C. H. Setalvad, Sir Balachandra Krishna, Mr. H. A. Wadya, Mr. W. A. Chambers, Mr. G. K. Parekh, Mr. N. V. Gokhale and Mr. N. M. Samarth.

may be usefully made in this respect by providing for the selection of a dozen qualified and competent non-official members from both the elected as well as the nominated portions of the legislature for the purpose of conferring, as an *advisory* Board for the present, with the Finance Member *before* he finally prepares his Budget for submission to the legislature. It should be open to the Government to withhold information to disclose which may be deemed inconsistent with the public interest. Subject to this necessary restriction the non-official voice *must* be heard *in the preparation of the Budget*. Such a step is absolutely necessary as a preparation for the eventual control of the purse of the central Government by the Legislative Assembly of India.

The authors of the proposals have done full justice in their report to the Indian view as to the fairness, expediency, and urgent necessity of conceding fiscal freedom to India. But they have been unable to make any proposals in this behalf, because they felt that they were outside the purview of matters which legitimately fell within the scope of their inquiry and recommendations on Indian constitutional reforms. They observe:— "Our inquiry has not been concerned with fiscal questions, and the views expressed upon them have come before us only as the main reason which those who asked for popular control over India's finances gave in support of their request.. .. It has been decided by Parliament that the fiscal relations of all parts of the Empire and the rest of the world should be considered after the

war, and we assume that this consideration will be by an Imperial Conference on which India will be adequately represented." We admit that there is some force in this attempted justification for their attitude on this question. But, we ask whether a Parliamentary Bill for the reconstitution of the Government in India with a view to give effect to the *policy* of the announcement of His Majesty's Government on August 20, 1917, for 'the progressive realisation of responsible government in India as an *integral* part of the British Empire' can be reasonably deemed to be satisfactorily drafted if it contains no provision whatever, of however tentative a character, for the *contingency* of India being granted fiscal freedom *on terms of equality with the Colonies*. Such a provision, we think, is absolutely necessary to make the draft reasonably complete so as to obviate the necessity of coming before Parliament again, immediately after the war, for an amendment of the Statute.

A WRONG FORMULA

While we admit that the executive and legislative structure of the Government of India has been proposed to be improved in some respects so as to constitute an advance on present conditions, we are constrained to say that the proposals in this behalf are excessively cautious and unnecessarily illiberal. They are based on a formula, the correctness and soundness of which we venture to question. The Secretary of State and the Viceroy have laid down that formula in these terms :—

"The Government of India must remain wholly responsible to Parliament and saving such responsibility, its authority in essential matters must remain indisputable, pending experience of the effect of the changes now to be introduced in the Provinces. In the meantime the Indian Legislative Council should be enlarged and made more representative and its opportunities of influencing Government increased."

We beg to question not only the soundness of the principle and policy embodied in this proposition, but also its compatibility with the terms of the announcement of August 20, 1917. How can it be said that the position enunciated in the formula is in consonance with the terms of that announcement when *no attempt whatever* is made in the reconstruction of the Government of India itself towards 'the *progressive* realisation of responsible Government' to however small an extent? We fail to see why 'the Government of India *must* remain *wholly* responsible to Parliament' and why even the *beginnings* of responsible government in the Government of India should be *withheld* until, perhaps, a majority of the Provinces, advanced as well as backward, have made effective progress in responsible government. Till this contingency happens, the Government of India is apparently to remain without even the seed of responsible government introduced into its system. This, we think, is wrong in principle and is bound to lead to rigidity and unprogressiveness at the centre of the body politic, which would react on

the freedom, elasticity and growth of provincial administrations. Besides, it is a bad policy to make the Legislative Assembly of India so uninviting as contrasted with the provincial Legislative Councils that the best talent of the country would be naturally attracted to the latter on account of the new and fascinating opportunities of service and distinction that would be thrown open to it under the proposed arrangements. It is on account of this wrong formula on which Mr. Montagu and Lord Chelmsford have taken their stand, that their proposals in regard to the Government of India have suffered in correctness of conception and in liberality. A legislature with a two-thirds elected element therein but in all important matters retaining the characteristics of the Morley-Minto model, that is to say, mere 'criticism unchecked by responsibility' has its perils, and should not be allowed to continue long in this position of irresponsibility. Otherwise there would be a break-down of the machinery long before it is re-adjusted to new requirements at the end of the interval deemed essential by the authors of the formula. We think that sound policy as well as the necessity of the complying with the terms of the announcement of August last dictate an immediate modification of the position embodied in that formula.

We fail to see why the beginnings of responsible government could not be made or should not be made in the Government of India itself, at least to a limited extent, *simultaneously* with the pro-

vinces. If our suggestion is given effect to, income-tax, revenue from 'general' stamp duty, railways, post and telegraph (in so far as their general administration other than for military purposes is concerned) and, above all, salt and customs, are some of the items which may be gradually 'transferred' into the control of Indian ministers. To our mind, the principal defect of the scheme of Mr. Montagu and Lord Chelmsford is its failure to give any control, however small, over the Government of India to the people's representatives in the beginning or to provide for such control in the future with the same directness and firmness with which the growth of popular control is provided for in the Provincial Governments. We think the British Cabinet and Parliament must be requested to introduce into the Bill some measure of transfer of power to the Legislative Assembly of India and to provide for future progress towards complete responsible government of the Government of India itself by specifically authorizing the proposed periodic Parliamentary Commission to inquire into the matter and recommend to Parliament such further advance as may be necessary or desirable in that behalf.

COUNCIL OF STATE

We think the legislative structure which the Secretary of State and the Viceroy have proposed for the reconstruction of the machinery of the Government of India has been unwisely complicated by the annex of a second Chamber the introduction of which into the Constitution of

India is highly undesirable. It is, on the whole, a discredited device ill calculated to serve a useful purpose in the constitutional development of India on smooth and harmonious lines. It would, we think, lead to heat, irritation and bad blood, imperilling the Constitution itself,—the more so, when it is so constituted and empowered as to be a mere Government machine contrived to supersede or set aside as non-existent in certain matters, a legislature containing an elected majority. A Second Chamber, wherever introduced, has been far from successful. Even in the advanced countries of France and the United States, it was deemed an exotic. The institution is peculiarly British and congenial to British soil, but even there it has evoked hostile criticism and a demand from some for its abolition, and from others for its reformation. Lord Bryce's Committee's proposals are the result, though even in respect of them there are divergent views. One of the chief recommendations of Lord Bryce's Committee in connection with the 'legislative functions of the Second Chamber' is that 'it shall not have power to amend or reject a financial Bill.' In the reform proposals, however, the Council of State is given power, including power to amend in respect of all Government Bills; and 'fiscal legislation,' say the authors of the scheme, will of course be subject to the procedure we have recommended in respect of Government Bills. There are other points upon which, if the composition and functions of the 'Council of State' were tested in the light of weighty opinion of political thinkers and

writers or even in the light of the conclusions arrived at by Lord Bryce's Committee, the novel structure proposed to be set up in India would scarcely bear examination. The authors of the reform proposals contemplate the perpetuation of the Council of State as a permanent institution in this country in the modified form eventually of mere revising chamber, instead of its being both a revising and a superseding body, as at present proposed, over the head of the Legislative Assembly of India. We are firmly convinced that this perpetuation would be a grievous blunder: and we would, therefore, earnestly urge that this objectionable feature of the proposals be forthwith dropped. We would suggest instead an adaptation of the plan of Grand Committees proposed by the authors of the Reform Scheme for the Provinces. The reasons given for the rejection of this contrivance in the case of the Government of India are to our mind unconvincing. The merit of this device is that while it can be utilised, by providing appropriate composition and powers, as a check on hasty legislation or arbitrary exercise of authority on the part of Government, it can also effectively prevent a predominantly elected but temporarily distempered legislature from making its *sic volo* prevail, but in either case the purpose is effected not by means of a rival or extraneous body but by a part of the body itself so as to preserve its uni-cameral character and prevent its unhealthy development as a body perpetually at war with another.

Hon. Pundit Madan Mohan Malaviya

PROVINCIAL GOVERNMENTS

Mr. Montagu and Lord Chelmsford have put an unduly strict interpretation on the terms of the announcement of August 20th. It is due to them at the same time to say that consistently with that interpretation they have proposed to introduce an element of real responsibility to the people in the provincial governments which they have recommended. They have proposed that the transferred subjects shall be in the charge of a minister or ministers to be nominated by the Governor from among the elected members of the Legislative Council; that such ministers shall be appointed for the term of the Legislative Councils; that the ministers, together with the Governor, should form the administration with regard to these subjects; that on such subjects the decision of the ministers should be final, subject only to the Governor's advice and control. They have said that they expect the Governor to refuse assent to the proposals of his ministers only when the consequence of acquiescence would clearly be serious, or when they are clearly such as to be the result of inexperience. They do not intend that the Governor should be in a position to refuse assent at discretion to all his ministers' proposals. This is the best part of the proposals of Mr. Montagu and Lord Chelmsford for which I offer thanks to them. It would give the ministers greater individual power and responsibility with regard to transferred subjects than they would have under the Congress-League scheme. But it is weighed by various conditions and it requires to be improved.

SELECTION OF MINISTERS

In the first place it should be provided that the elected member or members to be nominated by the Governor shall be selected from among the first few men who command the largest measure of confidence of their fellow elected members in the Legislative Council. Appointment by election having been negatived, the best course to follow will probably be that the appointment should be made from among a panel of three or four recommended by the elected members. Though it will limit the field, still it would leave the selection to the Governor. But it will at the same time ensure that the Governor shall not select a man, who though he is an elected member, is not acceptable to the majority of the Council.

MINISTERS SHOULD BE MEMBERS OF THE EXECUTIVE COUNCIL

The second point is that the ministers should be members of the Executive Council and not merely of the Executive Government. The distinction between the Executive Government and the Executive Council should be abolished. Dividing the Government into, what the authors themselves point out will in effect be, two committees with different responsibilities, will weaken the power and responsibility of the administration for promoting the welfare of the Province. In fact the division of subjects into 'transferred' and 'reserved' requires to be considered.

DECISION OF TRANSFERRED SUBJECTS

Under the arrangements proposed, it would rest with the Governor to decide whether to call a

meeting of his whole Government or of either part of it. The actual decision on a tranferred subject would be taken by the Governor and his ministers; the action to be taken on a reserved subject would be taken by the Governor and the other members of his Executive Council. At a meeting of the whole Government, when it would be called, there would never be any question of voting, for the decision would be left to that part of the Government which will be responsible for the particular subject involved. Under this arrangement the Executive Council will be practically relieved of all responsibility relating to transferred subjects. The entire blame for the want of adequate progress in the matter of the transferred subjects will be thrown upon the minister or ministers.

FINANCIAL ARRANGEMENTS

Nor will the financial arrangements proposed under this system be satisfactory from the point of view of the transferred services. In the first place, it is laid down as a postulate, that so long as the Governor in Council is responsible for reserved subjects he must have power to decide what revenues he requires. It is proposed that the provincial budget should be framed by the Executive Government as a whole. The first charge on provincial revenues will be the contribution to the Government of India; and after that the supply for the reserved subjects will have priority. The remainder of the revenue will be at the disposal of the ministers for the purposes of the transferred subjects. If such

residue is not sufficient for their needs, it will be open to the ministers to suggest extra taxation, either within the schedule of permissible provincial taxation, or, by obtaining the sanction of the Government of India, to some tax not included in the schedule. It is said that the question of new taxation will be decided by the Governor and the ministers. But it is clear that the responsibility for proposing the taxation will really lie upon the latter. The Executive Government as a whole will not be responsible for the proposal. The distinguished authors recognise that new taxation will be necessary, for no conceivable economics, say they, can finance the new developments which are to be anticipated. Why then should the responsibility for new taxation, to which a certain odium attaches in the best of circumstances, be thrown upon the shoulders of the ministers alone and not upon the Government of the province as a whole? The proposed arrangement is not quite fair. The responsibility for developing transferred subjects is to be placed upon the ministers. The power of deciding what part of the revenue shall be allotted for the discharge of that responsibility is to be retained in the hands of the Governor in Council. Power is given to the ministers to propose additional taxation but he is not to be supported in the exercise of that power by the collective responsibility of the Executive Government. Proposals for new taxation are seldom popular. When such proposals will be put forward without the support of the Government as a whole, the

chances of their being accepted by the legislature will be seriously affected. It is proposed that the Legislative Council should have no option but to submit to the proposals of the Governor in Council with regard to expenditure on reserved subjects. This is not calculated to promote a willingness in it to agree to new proposals for taxation even for transferred subjects. It is evident that the prospects of such subjects being properly financed are far from satisfactory. Nor are the prospects of the success of this part of the proposals as a whole more assuring. The position of the ministers will be unenviable. They must either bear the blame of failure to promote progress in their departments or they must expose themselves to the odium of proposing new taxation without having the power to deal with the revenue and expenditure of the Province as a whole.

POWERS OF THE LEGISLATIVE COUNCILS

The provision that if the Legislative Council should refuse to accept the budget proposals for reserved subjects, the Governor-in-Council should have power to restore the whole or any part of the original allotment should be dropped. The Legislative Council should be trusted to rightly understand and discharge its obligations in a matter of such vital concern to the people as the maintenance of law and order. If there is an apprehension that existing expenditure on departments primarily concerned with the maintenance of law and order may be reduced, let this be guarded against by a special provision

that this shall not be done, unless it is assented to by the Governor.

GRAND COMMITTEES

On the Legislative side the proposal for a Grand Committee should be dropped. It involves a serious and unwarrantable derogation from the power and dignity of the Provincial Legislative Councils. All provincial legislation is at present passed by the Provincial Legislative Councils. This should continue to be so in the future. The Indian Statute book contains over-abundant legislation for the maintenance of law and order in the country. As a rule such legislation is all-India legislation and has with few exceptions been enacted in the past by the Imperial Legislative Council. It may be safely assumed that it will continue to be so in the future. . . .

It is evident that it is contemplated that the Grand Committee should be called into existence only occasionally. If then any occasion should arise when a Provincial Legislative Council refuses to pass any legislation which the Executive Government considers to be necessary, it will be better to ask the Central Government with the over-riding power of legislation which it is proposed to retain for it, to enact it for the province.

EXECUTIVE COUNCILS

So far then as the Provincial Governments are concerned, I would recommend that there should be an Executive Council of four members two of whom should be Indians, nominated by the Governor out of a panel elected by the elected

members of the Legislative Councils, holding charge of, and being specially responsible for, subjects of the most vital concern to the people, and that there should be no reserved subjects and no Grand Committee. I would agree that the resolutions of the Councils other than those relating to the Budget should be treated as recommendations and Resolutions relating to the budget should be binding on the executive and the budget should be modified to accord with them, subject to this limitation that the Legislative Council should not have the power to reduce existing expenditure on departments relating to law and order without the consent of the Governor-in-Council. No new expenditure should be incurred even in those departments unless it is approved by the Legislative Council.

CONCLUSION

A definite assurance should be given whether it is intended that full responsible government should be established in India within a period not exceeding 20 years. It should be laid down that Indians shall be trained and admitted, if they pass the prescribed texts, to the extent of at least half of the appointments in every branch of the public service, civil and military. It should be provided that half the number of members of the Executive Council of the Government of India shall be Indians. If the proposed Council of State is created it should be provided that half of its members shall be elected by electorates in which Indians predominate. It should be clearly laid down that existing expenditure on certain

services, in particular military charges for the defence of the country, shall not be reduced without the consent of the Governor-General in Council. Subject to this provision, budgets shall be voted by the Legislative Assembly. India should be given the same measure of fiscal autonomy which the self-governing dominions of the Empire will enjoy. Provincial Legislative Councils should be so enlarged as to permit of a member being returned from every Tahsil or Taluq or group thereof containing a certain minimum population, and the franchise should be as broad as possible, to ensure adequate representation of every important interest, including that of the tenant.

It should be provided that persons to be appointed Ministers shall be those who command the confidence of the majority of elected members and that such Ministers shall be members of the Executive Council. There should be no reserved subjects. If there is to be any reservation, it should be limited to this that the existing expenditure on departments relating to law and order shall not be reduced without the consent of the Governor-General in Council. The proposal for a Grand Committee should be dropped. The principle of reform which may be finally laid down for other provinces of India should be applied to Burma also, subject if necessary to any special reservations which the Burmese themselves may demand. (*From a lengthy communication to the Press.*)

Mrs. Annie Besant

Though Mrs. Besant criticised the Scheme at first very strongly in her paper, 'New India,' still it must be stated she has latterly equally strongly and strenuously been protesting against the idea of rejecting it as the same would be perilous. She is mainly responsible for a manifesto based on the following suggestions to which she has obtained the approval of Messrs. Moti Lal Ghose, B. Chakravarty, C. R. Das, the Hon. Mr. Jinnah, the Hon. Mr. Patel, B. G. Tilak, Hon. Pandit Motilal Nehru, Hon. G. S. Khaparde, Hon. Pandit Gokaranath Misra, Sir S. Subramania Aiyer, Mr. S. Kasturiranga Aiyangar and others.

From my own standpoint the following are the essentials of the Congress-League Scheme which must be included in the Bill.

1. Enlarged Legislative Councils, on broad franchise, with 4/5 (or substantial) majority of elected members. Muhammadan proportion as detailed in Joint Scheme.

2. Control over budget, entailing subordination of Executive to Legislature, and giving fiscal autonomy.

3. Executive Council, half-English and half-Indian.

RESERVED SUBJECTS

Our Scheme reserved to the Indian Government sole control over Foreign Affairs, Army and Navy, Political Relations, the making of War and Peace, and the entering into Treaties, thus admitting the principle of reserved subjects ; but the Montagu-Chelmsford Scheme has extended it most unreasonably.

MAHOMEDAN REPRESENTATION

The first demand is given in the Montagu-Chelmsford Scheme, except as regards the proportion of Muhammadans to be elected, and the granting of special electorates in all Provinces.

On these points we must stand by our Muhammadan brethren as agreed.

FISCAL AUTONOMY

The second gives fiscal autonomy, a *sine qua non*. Without this, the Executive is supreme, with it the Legislature. As a concession, we might agree that in the Provinces a fixed sum, calculated on the average expenditure of five years before the War on police, law, and justice, should be at the disposal of the Executive and outside the control of the Legislature for the life time of the first Legislative Council, and that these should be reserved to the Executive. It is also arranged in both Schemes, that a fixed amount from provincial revenues shall be allocated to the Government of India, and that the Local and Indian Legislative Councils and Assembly shall control respectively Provincial and Indian revenues and expenditure, there being no divided heads of revenue.

APPOINTMENT OF MINISTERS

Thus, in the Provinces, all the Departments except Law, Police and Justice should be placed in the hands of Ministers, who should be chosen by the Governor in Council from the elected members of the Legislative Council, and they should be irremovable, as in the Congress-League Scheme, for the life-time of the Council. The Legislature would control the whole Budget, except the two fixed allocations, and under these circumstances the Grand Committee would have nothing to do and would disappear. The Governor might advise with his Ministers, but not control them.

PROVINCIAL AUTONOMY

The third is granted in the Provincial Councils, but the demand that the Indian half should be elected is refused. I think we might let that go, if all subjects except Law, Police and Justice are in the hands of elected members of the Council, in whom control of the budget is vested, and if these also come into the hands of the Legislature automatically, at the end of five years, making Provincial Autonomy complete.

HALF THE EXECUTIVE SHOULD BE INDIAN

In the Indian Government, half the Executive should be Indian, and if the work be heavy, one or more Ministers might be added from the elected members of the Assembly. Here also a fixed sum, calculated as before, should be allocated for the subjects reserved in the Congress-League Scheme; in addition we may grant to the Executive Council, half-Indian, the care of peace, tranquillity and the safety of the country, seeing that the Army is concerned with these. I say "safety of the country" instead of "good government," because the latter phrase, like the "public interests," may be stretched to include anything.

INDIAN BUDGET

The Indian Budget must be under the control of the Assembly, save as regards the fixed sum granted, and customs, tariff and excise must be specially retained in its hands, lest any attempt should be made to bring these within peace, tranquillity and safety, in view of the resistance of the non-official European community to the

necessary re-arranging of Indian finance with a view to Indian interests.

One point of great importance must be remembered, that no power must be transferred from Parliament and the Secretary of State for India to the Indian Government, nor to the Provincial Governments, until the latter are responsible to the electorates.—(*From an Address as Chairman of the Reception Committee, Madras Special Conference.*)

COUNCIL OF STATE

Personally, I am for abolishing the Council of State. In no part of the British Empire and nowhere else practically do you find a uni-cameral Government or Legislature. There lies our difficulty which we ought to admit. We should ask for the abolition of the Council of State but if we fail in that we ought to get rid of the certification process. The Governor is able to certify a bill if he thinks that it comes within the expression "peace, order and good government." I should avoid that expression and substitute for it "the safety of the Nation." Suppose you could not get the abolition of the Council of State but could get rid of certification, then there will be a joint session of the two Houses, in which there is a large elected majority. In the joint session, if the Government cannot certify you can get a Bill through. It is on the certificate of the Governor that the real crux of the question comes.—(*Debate at the Madras Mahajana Sabha, July* 31.)

Sir Narayan Chandavarkar

Those who in their desire to serve India profess faith in the British democracy will do well to bear in mind Lord Morley's warning that the British demos is all right, when he is decently and considerately handled. . . .

The scheme no doubt leaves the present constitution of the Government of India practically intact, because it does not go far enough in the direction of popularising it. In discussing the merits of the scheme on that point and suggesting modifications we should not lose sight of the cardinal principle accepted by all statesmen who have had to do with constitution-making and laying the foundations of and preparing the way for the full realisation of responsible government —the principle, namely that a strong central authority is an essential part of such government for stability of administration.

The criticism that has emanated from certain quarters that the scheme is not logical and that the people of India do not like it, because (it is said by the critics) they are unlike the British logical, seems to me to ignore the fact standing out boldly on the face of India's ancient and traditional polity and law that government and constitution-making are not and cannot be, like the " shastras, " logical and rigid but, like human life itself, are the result of experience and experiment, moving not in a straight line, but amid cross-currents—*From a contribution to the " Statesman. "*

Rao Bahadur R. N. Mudholkar

It displays a breadth of view, a far-sightedness of vision, a liveliness of imagination comparable to that displayed by that oft quoted speech of Macaulay, which most Indian politicians love to read and re-read. It is the boldest attempt made till now to carry into effect the high principles of justice and equality embodied in the Statute Book by the Government of India Act of 1833, and the noble assurances and pledges given by Queen Victoria's Proclamation of 1858. To me certainly it appears that Mr. Montagu and Lord Chelmsford were inspired by the genuine desire that immediate action should be taken to give effect to the principles enunciated in the speech of the Secretary of State in the House of Commons on 20th August last, and to make a substantial beginning in that direction, and that they have made sincere and earnest endeavours to achieve this.

In regard to the Government of India, therefore, the Scheme though making a slight advance on the present state of things is wanting in the essential feature: the introduction of the principle of responsibility. For the removal of this drawback vigorous efforts should be made; and even if a satisfactory amendment is not obtained, we should not be, for reasons to be presently explained, downcast or reject the Scheme.

In the sphere of the Government of India the proposal, which calls for examination and has evoked the most criticism, is that about the Council of State. I have always held that if

Parliamentary institutions are to be established and a beginning towards that is to be made, then we must proceed on lines on which the great democratic countries have proceeded. A second chamber to my mind is an absolute necessity : and press as we ought to for the immediate transfer to popular control of some departments of the Government of India, the establishment of such a chamber should be agreed to. The composition of this body and its powers and functions are difficult matters and wide divergence of views is to be expected. In my opinion the body should be half-elective and half-nominated, official and non-official, the aim to be to secure representation of the best knowledge, experience and practical wisdom of the country and of the large interests existing therein. Its powers should be not more than those of the other second chambers in the British Empire or the United States. The power of certification should be exercisable only on the grounds of peace and order, and reasons for the same should be published. The army and military affairs generally, foreign and political relations, the provision for the defence for the country and internal peace and order being all reserved in the fullest manner for the Government of India, and their power being left plenary in these respects, the further ground of "Good Government" for the issue of the certificate should be taken out.

The Budget should, subject to the above limitations, be voted upon in the two chambers and in a Joint Session if they disagree.

The Hon. Raja of Mahmudabad

One aspect of the Report on Constitutional Reforms which foreshadow remarkable changes in the governance of the country has affected the Mohammedans of India profoundly; it has astounded them.

How it was that the two great communities—Hindu and Mohammedan—who had despite the efforts of their farseeing patriots, failed to agree on the question of their (specially the Mohammedans) representation in legislative and other bodies, in which the basis of representation was to be by popular election, came to the far-reaching decision embodied in the Congress-League scheme in the year of grace 1916, is a fascinating chapter of Indian political development; but the fact remains that it was so.

The detractors of communal representation had by 1916 come to believe in it, or at least in the expediency of it; and Mohammedans no longer had the uneasy feeling that the compact of special and communal representation, if it was to be harmonious, should have been triangular. So far it had been lop-sided inasmuch as one side *i.e.*, that of Hindus had not supported with its willing acquiescence. What had been secured for Mohammedans from the Government in 1906 over the heads of the Hindus, had now, at least the principle of it, been conceded by the Hindus themselves for the sake of the co-ordinated growth of Indian nationhood and self-government. The triangle was now equilateral: the

Mohammedans always regarded separate adequate representation as the *sine qua non* of their adhesion to the introduction of popular franchise; the Government had already accepted the condition, and now the Hindus also gave their blessings to it.

The agreement, on this question, of 1916, as laid down in the Congress League Scheme, was and is a perfect exposition of the principle of *give and take* in the domain of politics. In recognition of the generous spirit of the compromise in allotting to them certain adequate, and in certain provinces, effective proportions, the Mahomedans agreed to forego the right which in the existing constitution the Government conferred on them, *viz.*, of participating in mixed electorates, both in voting and candidature.

Here then was the first application, in its most beneficent form, in India, of the great principle of self-determination enunciated by President Wilson, beneficent as it did not inconvenience the Government in the least and as it once for all laid at rest the bad blood and the heart-burnings, which were a feature of the political relations of the two communities which retarded the progress of the country, and last but not least, which, the Government themselves professed times without number, made their task of administration excessively difficult.

But he who runs may discern that the conditions of the compromise were interdependent of each other, the Mohammedans renounced their participation in the general electorates because their

demand for special, separate and adequate representation was conceded. That is the kernel of the compromise

The Report on the Constitutional Reforms seizes with avidity on the act of renunciation of the Mohammedans but quickly gives the go-by to their instrument of acquisition, *viz.*, the explicitly fixed proportions which it conferred on them.

It takes away from our existing rights—conferred, it may be emphasised, by the Government itself without recognising the gift, appreciation of which right we were ready to forego them. No wonder that the proposals—in this particular aspect of them—have been received with the most profound disappointment, akin to consternation, by the Mohammedans of all shades of opinion in the country.—(*From a communication to the Press.*)

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The Hon. Mr. Mazar-ul-Haque

PROVINCIAL GOVERNMENTS

Taking the reforms in the Provincial Government as a whole, it appears that ground has been prepared for planting the seed of Responsible Government, but the seed has not been planted yet. Attempts have been made to take a forward step, but the step has been immediately drawn back for the fear that catastrophic change may take place even in those matters where their occurrence is impossible. Statesmanship demanded that bold steps should be taken and real Responsible Government should be granted fearlessly in the transferred subjects. To think that any scheme can be evolved where mistakes will not be committed, is to wish for a state of things which are not to be found in this world. The history of the British House of Commons and of the British Rule in India is a history of mistakes. The occasion requires that a full measure of confidence should be placed in the Indians and suspicion and distrust of every description should be avoided. The scheme presumes an amount of unreasonableness in the Indians which is not justified by past experience. Men who have been so far placed in positions of trust such as Sir Satyendra Prasanna Sinha, Sir Ali Imam and Sir Sankaran Nair have not betrayed their trust. Why should they do so if they are placed in the position of Ministers or even that of Governors. It may be argued that it is not a question of individuals but that of

electorates. Perfectly true, but why create an electorate if you do not trust them. The very creation of electorates implies a certain amount of confidence ; and if this is not conceded, foundation is laid for further troubles. I am decidedly of opinion that unless modified in its main features, the scheme will not satisfy the people at large. I would suggest that whatever subjects are decided to be included in the transferred list, the responsibility of the Legislative Council should be completed and the Minister or Ministers should be made responsible to the Legislative Council. Only those men who enjoy the confidence of the largest number of members of the Legislative Council should be called by the Governor to fill the position of Minister or Ministers, and the moment they lose the confidence of the House they should resign and give place to those who have such confidence. Thus and thus only the requisite training for Responsible Government will be acquired.—(*From the Presidential address to the Behar Provincial Conference.*)

The Hon. Mr. M. A. Jinnah

TOO MANY RESTRICTIONS

I think he (Mr. Montagu) had been unduly influenced by the alarmist section, resulting in innumerable restrictions being put on the concessions made to the people, and as a consequence, the Government of India is left practically as it was, and the advancement of the Provincial Governments does not go as far as it should, and it might become worse when the reserved departments and transferred departments are decided upon. The advancement would be worthless unless in major Provinces like Bombay all the departments, except police and justice, are transferred. I am willing to accept this only as a transitional stage with a view to show that, for the present, maintenance of law and order may be reserved to the Government, since an argument has been advanced that after all we are going through an experimental stage. But it must be clear that after five years there should be no reserved subjects.

GOVERNMENT OF INDIA

With regard to the Government of India I cannot accept the principle that for the purpose of progressive realisation of responsible government we must confine ourselves to the province as a unit. For this I see no warrant in the announcement of the 20th August, 1917. The procedure laid down in the scheme reduces the Assembly as a whole and the representatives of the people and the Council of State to the position of irresponsible critics, as complained in

regard to the Morley-Minto reforms. It is clear that in the most vital matter the demand of the Congress-League scheme is not met, particularly in regard to control over the executive by representatives, fiscal policy and the Budget. I would, therefore, strongly urge that the certificate of the Governor-General-in-Council should not apply except to measures and Bills which affect the peace, tranquillity and safety of the country. All other departments of the Government of India should be left to the legislature, and the decision on all Bills should be final. This is contemplated in the report, but a decade is a long period to wait for such advance. I would, therefore, urge on my countrymen that we should concentrate all our energies to focus the public opinion of the country in the direction of securing these vital changes. I feel confident that the scheme will have to be modified through criticism and discussion. I would therefore appeal to India to unite her forces for the purpose of securing the changes, among others those indicated above.

HINDU-MUSSALMAN SETTLEMENT

Of course, unity between Hindus and Mussalmans is absolutely essential. There need not be any apprehension in the minds of Mussalmans with regard to the Hindu-Mussalman settlement of Lucknow. It must stand. We are all in honour bound to support it, Hindus and Mussalmans alike, notwithstanding the doubt that is thrown on the agreement in the report with regard to it.—(*From a communication to the Press*)

Hon. Mr. V. S. Srinivasa Sastri

Let us not reject the scheme with contumacy. It does not deserve such treatment. What does it matter that it departs altogether from ours? It substantially embodies our basic principles at the start and will effectuate them in full at the culmination To recognize that the authors of the scheme have been actuated by a genuine desire to promote the interests of India and help the cause of her freedom, to admit that the lines of constitutional advance laid down in it are generally sound, and that the actual proposals are calculated to give us a substantial start and set us on the high road to partnership in the British Empire at no distant day, and then to point out deficiencies that vitiate the scheme and may deprive it of all value, and make a firm and strong demand for improvements that seem indispensable—this is the part of those who would use the great opportunity that Providence has given them to serve the cause of India —*Servant of India.*

AUTONOMY FOR PROVINCES

At any rate the majority in the case of the Indian Legislative Assembly must be more than two-thirds, while in the case of the provincial Legislatures real autonomy would be impracticable without an absolutely decisive majority. The provincial Legislatures must have power to raise any debate on definite matters of urgent public interest, and the Governor must be under an obligation to summon the council at stated intervals. He should not preside over the legisla-

ture nor nominate the president. The ministers must be allowed the same status as members of the executive council.

RESERVED AND TRANSFERRED SUBJECTS

The committee for dividing the reserved from the transferred services must have a special direction to make the former as few and the latter as many as possible, as otherwise the beginnings of responsible Government would tend to become shadowy and unsubstantial.

MEMBERS WITHOUT PORTFOLIO

The proposed addition to the executive Government of members without portfolio is, in our opinion, a sheer encumbrance without any countervailing advantages. It is no doubt true that in England some persons of great weight and prestige are admitted to the Cabinet who, on account of old age or other reasons, cannot personally direct the government in any of the departments but by their great reputation, popularity, or social influence, will enhance the strength of the Government of the day. In India the men that may be added to the executive Government will persumably be one or two European officials, who will continue to perform the duties and draw the salary attaching to their official position. They will be admitted to a consultation only when the Governor thinks it desirable, and they will take no part in the ultimate decision, having no vote. Their association is not calculated in any way to increase the confidence of the public in the Government as the addition of members without portfolio does in England. It may,

on the contrary, have the result of overbearing in some cases the popular view put forward by the ministers or the Indian executive councillors. This feature of the recommendations has nothing in its favour, and will, we trust, be ruled out.

THE SERVICES

The report exhibits lamentable weakness towards the services. The opinion of responsible non-official Indians is frankly opposed to any increase in their salaries and pensions, and they will not be deterred by the extravagant encomiums from resisting demands in this behalf on the public purse.

SPECIAL INTERESTS

The chapter recommending special powers to the Government of India for protecting the interests of Europeans, Christian missionaries and the domiciled community is not happily conceived. It shows an unfounded suspicion of the attitude of Indians towards these classes. One would have thought that the classes least able to protect themselves were the submerged or the depressed classes. To prevent injustice or tyranny the Government of India and provincial Governments have enough power. The oppression of minorities is unquestionably the fittest occasion for the exercise of the veto. The facts of the day require rather a frank recognition that certain classes are in the enjoyment of undue privileges. The abolition of these and the establishment of absolute equality between individual and individual irrespective of race, birth or religion are essential conditions for the success of the reforms.

The pride and self-respect of Indians, made almost morbid by the humiliation of generations, are cruelly mortified bythe disabilities of one kind or another, under which they labour in their own country. When shall there be real equality between man and man, is the cry of anguish that goes up from many a wounded heart. The one appeal that we would make to all who wield authority over India is to put an end to all privilege, whether it be due to birth or race or religion. Europeans and Anglo-Indians are in certain respects unduly favoured. Christian missionaries too, notwithstanding the religious neutrality of Government, are able to obtain advantages which they would find it hard to get in countries not politically subject to men of their own race. Where, for instance, would compulsory instruction in Christianity be tolerated in State-aided schools to Hindu and Muhammadan children? If the authors of the report had been in the least degree aware of the deep-seated soreness caused by these inequalities, they would have forborne to write the section headed 'Non-official Community' in Chapter XI. Since the talk of political reforms began, the communities here treated of have, with several honourable exceptions, bitterly opposed the political movement in India on the ground amongst others that their interests would be jeopardised and their position rendered intolerable, if civil power were transferred to Indian hands. We little expected that the Viceroy and the Secretary of State would have taken their fears seriously. But they have done

it. They have gone so far as to recommend that Government should have special power to intervene for the protection of these communities from the tyranny of the Indian Home Ruler. There is little doubt that the recommendation is inspired by a desire to disarm the opposition of these powerful classes. So far we understand the motive. But on the other side it might have struck them that great harm would be done by the profound distrust that it betrays of the Indian community. We are quite within the truth when we say that neither towards these communities nor towards others are the men of weight and leading in India likely to assume an attitude of unreasoning hostility or jealousy; persecution or any form of injustice is out of the question.

GOVERNMENT OF INDIA

We cannot consent to leave the Government of India absolutely untouched. How could it be claimed in the Peace Conference or elsewhere that the principle of self-determination was applied to the case of India while a mere seed thereof was sown in the provincial fields? Is it contended that we cannot manage the manufacture of salt, the income-tax and railways? If the Assembly is left free to legislate for these and similar departments as the Council of State is free to legislate for some others, will the Government of India be paralysed and its power for good destroyed? In fact the Government of India is treated in the report with distant and reverential awe and its nervousness is so great that it fails to

include in express terms the possibility of making the Government of India amenable to popular control in its enumeration of the twelve years' commissions. The report indulges in much special pleading when it advocates the continuance of unimpaired power in the Government of India. Not only does it fail to provide for any immediate devolution of this power to the representatives of the people, but we are surprised to find that it contains no clear proposals for such devolution in future. One great merit of the scheme before us is claimed to be the guarantee that it affords of the successive stages in the development of the new polity. The claim is utterly without foundation in the most vital and important part. If this serious defect in the proposals be not rectified, the spokesmen of England cannot truthfully assert at any International conference that she has granted responsible Government to India or inaugurated the arrangements which will, by regular and appointed stages, enable India to reach responsible Government without doubt. Why should the process of popularising the Government of India not begin at all till the fabric of responsible Government is completed to the topmost story in all the provinces? If the people can be trusted with the bulk of provincial affairs, why should they not be trusted with some national affairs? The arguments of safety and fitness cannot be brought forward in the latter case if they have no validity in the former. Let no logical or academical reasoning as to one stage coming after another stand in the way of the

proposals being so improved as to be acceptable with enthusiasm and fulness of faith. Nature never waits for one process to be finished and done with before beginning another. Nor will India in her present condition.

The life and soul of the famous August declaration of last year is the idea of responsible government, of which the introduction into provincial Governments is provided for from the sixth year of the inauguration of the new scheme. On what grounds then is this vivifying principle withheld from the chief domain, *viz.*, the Government of India? If necessary anywhere, it would seem to be necessary there. It does not seem to be contemplated, nor is it consistent with the reasoning adopted in the report, that at a certain moment declared to be ripe, the Government of India, in all its departments and over its entire range, should be brought under popular control. The doctrine of "successive stages" and "progressive realisation" applies here as elsewhere. The men who can be entrusted with the management of local self-government, education, sanitation, agriculture and industries in separate provinces can certainly be entrusted with the control of the operations of the salt and the income-tax departments. The mere extent of jurisdiction cannot form an insuperable objection.

The scheme purports to obviate the need of further agitation as a means of securing an advance. In a certain measure this end is attained by the proposal to constitute commissions under the authority of Parliament at regular intervals

of twelve years for the express purpose of recommending suitable steps of advance. In the case of the Government of India, however, neither the beginning nor the future stages are clearly provided for. Agitation then is rendered inevitable by this imperfection in the scheme. For it is not to be imagined that the people of India will rest content with the promise of power held out on the provincial plane. The destinies of India are worked out on the highest plane, *viz.*, that of the Government of India. To bar the leaders of India from access thereto is to fail utterly to realise the dominating factor of the situation, namely, that they claim a hand in the shaping of of their country's destinies. Homage is paid in words here and there in the report to the idea, but it is nowhere clearly stated when or how the popularisation of the Government of India is to begin, nor are the stages definitely marked through which the idea is to march towards its fulfilment. In the preliminary section of part II, entitled the Proposals, the authors of the report, after quoting Sir Thomas Munro on the need of looking forward to "some future age," when the natives of India "shall have become sufficiently enlightened to frame a regular Government for themselves and to conduct and to preserve it," acknowledge that England's duty is "a persistent endeavour to train the people of India for the task of governing themselves." "The inevitable results of education in the history and thought of Europe is the desire for self-determination; and the demand that now meets us from the

educated classes of India is no more than the right and natural outcome of the work of a hundred years."

Surely, it is impossible to contend that a serious step has been taken towards securing this great end by the transfer of some provincial services to popular control. Sanguine readers of the report may derive some hope from the language of paragraph 288, in which it is laid down as part of the duty of a twelve-year commission to examine and report upon *the new constitution of the Government of India*; but this is followed by the chilling words "with particular reference to the working of the machinery for representation, the procedure by certificate and the results of joint sessions." The commission will seek, therefore, to improve the machinery in the light of the experience gained, but it will have no power to make recommendations with a view to establish popular government in this sphere. But we are left in no doubt on this matter. The report summarises its recommendations as confined to securing the beginning of responsibility in the provinces, the completion of which must be the foundation for the beginning of responsibility in the Government of India. It is this necessity for previously completing the fabric of provincial autonomy that we do not understand. *Hanoz Dehli dur ast* fails to convince us. Whoever heard of a teacher refusing to begin multiplication till his pupils had become perfect masters of the arts of addition and subtraction in the myriad forms

in which they occur in life? Besides, when once bureaucracy is taught to regard a certain sphere as its citadel, it will resent with bitterness all future attempts to dislodge it therefrom: and the Imperial Cabinet must remember, in deciding on the work of reconstruction in India, that if the people require to be trained in the art of government the bureaucracy requiries no less to be trained in the virtue of renunciation. The latter education is as difficult and liable to miscarriage as the former, and the sooner it is begun the better. Moreover, the progress of responsible government in the provinces, already clogged by dyarchic arrangements, will be further impeded by the necessarily unpropitious outlook of an unreformed Government of India, to which the proposed scheme assigns not only overriding and concurrent power of legislation and general power of control and interference, but also the power of ordering or sanctioning successive transfers of services from the reserved to the popularly controlled group, and of arbitrament in cases where the correctness of a Governor's certificate is disputed.

The only reason assigned in the report for this glaring omission to provide for the popularisation of the Government of India is found in the words of paragraph 190: "For such hybrid arrangements precedents are wanting; their working must be experimental, and will depend on factors that are yet largely unknown. We are not prepared, without experience of their results, to effect like changes in the Government of India."

The diffidence here indicated is strangely out of keeping with the whole spirit of the report. Its authors confidently anticipate that, in five years of the beginning of the experiment, further progress will have been rendered possible at least in some provinces, so that they provide not only for the salaries of ministers being voted annually, but for transfer of fresh services to the control of the people, and the first twelve year commission is to be bidden to enquire whether provincial autonomy in the popular sense may not be completed. No doubt the possibility of resuming a popularly controlled service is also indicated, but it can only be thought of as the result of a rare aberration on the part of some backward province, and for the rest the provision is there merely to give an air of logical completeness to the scheme. We are therefore at a loss to discover why the Secretary of State and the Viceroy, who so readily assume the success of the experiment for extending its scope in the provincial sphere, should shrink from the like assumption when it comes to extending the scope of popular control to the national sphere. In our opinion, the case for introducing the principle of responsible government in the national as well as the provincial sphere is complete. Without it the scheme would be inconsistent with itself; the spirit of the August declaration will not have been fully vindicated; and England will be unable to claim that she has set India firmly on the road to self-government.

Of course, as the report says, the process of popular growth cannot go on at the same pace on

all levels. There need be no correspondence in the strides at which the national and the provincial Governments march towards the appointed goal. The minister or ministers in charge of the transferred subjects would in the Government of India be responsible to the Legislative Assembly and not to the Council of State. The relations between the two Houses it may be advisable to revise in other respects as well, though there seems no inherent necessity at a first glance. Many critics who now grudge the overshadowing importance of the Council of State might be appeased if the Legislative Assembly were allowed, in conjunction with the ministry, to exercise complete control over selected departments. We do not profess to have a cut and dried proposal in this behalf, but we are clear that the third formula should go. It rests on unsound reasoning, and must fall before a combined assault on the part of the Indian leaders. The committee who are to demarcate the reserved from the transferred services in the provinces should have instructions to indicate similar lines of demarcation in the Government of India, and the twelve-year commissions should likewise have authority to recommend the "successive stages" for the "progressive realisation of responsible government" in the national as well as in the provincial sphere.

THE INDIAN PRIVY COUNCIL

The institution of the Indian Privy Council which has been recommended in the report also falls into the same category. It will be a purely ornamental body, with no defined functions to

discharge. The Privy Council in England dates from an ancient time and has the traditions and prestige of ages behind it. It used to be the highest tribunal in the land, and even now supplies the eminent lawyers who form the judicial committees. Here, however, no such judicial functions being assigned to it, we have no knowledge of the class of people who will be chosen to be its members. If this body again is to perform the functions and wield the power which the Elder Statesmen in Japan exercise, when a constitutional peril arises, we must summarily reject the proposal, as involving the State in serious mischief, if allowed to take effect. Whether therefore as a body of titled persons or of unseen power, the idea of instituting a Privy Council will not commend itself to Indians. (*From the 'Servant of India.'*)

Hon. Dr. Tej Bahadur Sapru

GRAND COMMITTEES

I do not feel enamoured of the Grand Committee. It seems to me to be cumbrous and is likely to lead to considerable delay in the passage of Bills. It is probably intended to be a check upon the legislative council with regard to certain reserved subjects. It seems to have been forced upon those who are responsible for this scheme by their own division of the Government into Transferred and Reserved departments. Why should not an attempt be made to simplify the whole procedure? Assuming that the Government desire the bifurcation of the department as suggested in the Report, and assuming further that it is necessary to retain a certain power in their hands to ensure the safe passage of Bills relating to certain reserved subjects, why should this cumbersome procedure be adopted when perhaps the same object could be achieved by adopting a more direct and simpler procedure? The Governor has the power of dissolution and if he has got to deal with an intractable council he can always exercise that power. He has also the power to return a measure for the reconsideration of particular provisions in it. With all these checks it is somewhat difficult to understand the necessity for the establishment of the Grand Committee; and it is to be hoped that when action is taken on the report something would be done to remove what seems to be a superfluous check the disadvantages of which will in all probability outweigh its advantages in actual practice. And lastly, when it is borne in mind that the Government of India will have concurrent

powers of legislation enabling it to intervene in any province under certain conditions, the case for the abolition of the Grand Committee would seem to be sufficiently strong.—(*The Leader*, July 15.)

COUNCIL OF STATE

The Council of State is in the nature of an antidote to the elected majority in the Legislative Assembly and as such will be the seat of the reserved power of the Government. It is this aspect of it which has laid it open to severe criticism, but unless the elective majority is to have its will enforced without any let or hindrance, the necessity for a check from the point of view from which the entire constitution has been approached by the Government, would seem to be one which could not be ignored. It is not, it will be noticed, a complete second chamber in so far as there are to be elected members and nominated members for a short period, with somewhat less powers than ordinary second chambers have in certain matters. At the same time it seems to me that if this Council of State is to remain, so far as its elected element is concerned, it may well be strengthened. I have pointed out that there will be 21 elected members of whom 15 will be returned by the non-official members of the provincial legislative councils and 6 by the Mahomedans and the landed class. Considering that the Governor-General's vote will be the deciding factor, there is no reason why the number of elected members of this council should not be equal to that of the official and nominated members. Again, it may be asked what is exact-

ly meant by the expression 'good government.' While I am aware that this expression has found place in certain Acts of the legislature, it is an extremely illusive expression. It may mean anything and everything and is apt to be abused. One can understand the expression 'interests of peace and order,' but what is it exactly which this comprehensive phrase 'good government' is intended to cover? Surely, there must be some satisfactory answer to it. And if there is none, it is no use retaining an expression of this character. There are two more features of this Council of State to which attention may be drawn. If leave to introduce a Government Bill is refused by the legislative Assembly, or thrown out at any stage, the Governor-General-in-Council may certify that the Bill is essential to the interest of peace, order or good government, and in that case the Bill may be passed by the Council of State without further reference to the Legislative Assembly. Secondly, in cases of emergency so certified by the Governor-General-in-Council it would be open to the Government to introduce a Bill in the Council of State and upon its being passed there merely to report it to the Assembly. These are, it must be admitted, very wide powers, and may if frequently or carelessly exercised lead to a collision between the two chambers. I think that these provisions require serious consideration. Their very existence would to my mind seriously affect the independence, and it may be, the utility also, of the Legislative Assembly —(*The Leader*, *July* 17.)

Hon. Mr. Mir Asad Ali Khan

There are matters of vital importance still left to be decided by the two Committees to be appointed to investigate into the question of the separation of Indian from provincial functions and that of recommending which of the functions assigned to the province should be transferred subjects ; and into the question of examining constituencies and franchises, and determining the composition of each Legislative Council as well as of the Legislative Assembly. Further, the far too many safeguards provided for in the scheme so as to strengthen the hands of the executive, out of all proportion to the actual requirements of the situation, not only err on the side of unduly excessive caution but may possibly hamper the free, vigorous growth of constitutional Government in this country. We need, therefore, to suspend our judgment upon these matters until after the publication of the Committee's report. In fact nearly half the value of the scheme will depend upon the shape it will ultimately assume when the Bill passes through Parliament. While practical suggestions may be made to improve the scheme and render it acceptable to representative Indian opinion, the scheme ought to be welcomed by all sections of the Indian population, and deserves to adorn the Indian Statute book. When the scheme is modified in the light of reasonable criticism from responsible leaders and publicists it is bound to prove a real blessing to the people of India. (*From a communication to the Press.*)

The Hon. Sir Fazulbhoy Currimbhoy

As a business man I am glad that the authors of the Report record that "the conviction has been forced upon us that the economic factor enters largely into the political situation in India," and that "on all grounds a forward policy in industrial development is urgently called for." The Report of the Industrial Commission will be shortly before the public and it is to be hoped that in view of this emphatic opinion expressed in the Report under review, very satisfactory results could be looked for if steps are taken to give immediate effect to the recommendations. Nor is it possible to conceal our disappointment at the omission of a definite pronouncement with regard to the question of fiscal autonomy. The Report has indicated a very strong feeling which exists in India on this matter and have admitted that some action in this direction is inevitable. While the country will welcome the freedom from detailed control by the Secretary of State which the Government of India will receive under this scheme, such freedom will not have much meaning if it does not also embrace the question of tariff policy. Consistent with Imperial interests, it should be possible to formulate a scheme of scientific tariffs dictated by the interests of India. I cannot help thinking that if a radical change of policy had been outlined in regard to fiscal matters, the disappointment of the public at certain features of the scheme in the reform should not have been so keenly felt.—(*Bombay Chronicle.*)

The Hon. Sir G. M. Chitnavis*

A PROGRESSIVE STAGE

We do not share the view that we should have nothing to do with the scheme but leave it severely alone if it does not come up to our idea of what is justly our due. On the contrary, we think that if, after carefully considering it without passion or prejudice, the reforms proposed are found to be only partially satisfactory, provided there is in them an essentially progressive element and provided they have in them guarantees for future expansion on right lines, we ought to accept them even if it be only as a part satisfaction of the debt that is owing to us. And having done so, we should by a right exercise of powers and privileges conferred and by adopting legitimate constitutional methods, try to bring about a complete discharge of the debt. As an illustration of what we mean, we may state that, even though in certain matters we are not given direct control over the administration, we should see whether what is offered does not bring into existence a training ground for future responsible government by giving us opportunities to gain

* From a manifesto issued by: Gangadhar Rao Chitnavis, Bezonjee D. Mehta, Bipin Krishna Bose, M. V. Joshi, M. B. Dadabhoy, Shankar Rao Chitnavis, Vinayak Rao Kelkar, M. B. Kinkhede, V. R. Pandit, N. A. Dravid, D. Mungalmurti, G. R. Bapat and Sorabji B. Mehta.

valuable administrative experience and habits of responsible thinking and acting and arming us with authority to wield indirect control over the immovable executive. Thus despite any defects that we may discover in the scheme, we should try and find out whether it does not give us reasonable potentialities of future development in the direction we desire. In this spirit and from this standpoint we proceed to examine the scheme.

Ours is the latest-born of provincial legislatures, being only just four years old next month. We mean no disrespect to anybody when we say that we have yet to develop and raise ourselves to the level of efficiency in the conduct of Council proceedings and public affairs generally attained in some of the older Provinces. Then again it should not be forgotten that the great mass of our people are at present largely wanting in the political consciousness and power of what has been called 'self-determination.' The Morley-Minto scheme, worked here through indirect representation, has not operated to help in the creation of this consciousness and this power. There has further been no correlation of the Legislature and the Executive even to the limited extent attempted in some of the older provinces by the appointment of an Indian as a member of the Executive Council. We have not yet been given any entrance into the inner circle of government and have not been able to get an insight into the details and difficulties of actual administration. We have thus a long lee-way to make up.

A GREAT ADVANCE

After discussing the reform proposals at length the note says :—

Judged with reference to the conditions of our people here, we have no hesitation in saying that the scheme we have summarised marks a great and most notable advance in the system of government since these Provinces were constituted into a separate administrative unit in 1862, and ushers into existence a new era in their constitutional development.

The Hon. Mr. B. N. Sarma

EXISTING CONDITIONS AND PARALLELS

Reading carefully through the Report, a dispassionate observer cannot fail to perceive that the only substantial argument in favour of the limited scope of the reforms is the inexperience and the varied, composite and sometime discordant character of the electorates to which the task of Government would have to be entrusted. Allusion has also been made to the possible lack in sufficient numbers of men versed in administration. Great emphasis has been laid in quarters hostile to reform of the certainty of a narrow oligarchy being the successor of the present Bureaucracy. In one part of the Report it is stated : " We have no intention that our Reforms should result merely in the transfer of powers from a Bureaucracy to an oligarchy." What are the facts? The number of adult literates in British India is more than 12 millions, that is, nearly as large as the total adult male population of the United Kingdom. The number of pupils at school in 1916-17 was nearly 8 millions (7·8), a figure somewhat larger than what obtained in the United Kingdom or Japan, or four times as large as in self-governing China with a larger population, the figures for which for 1912 were 1·7 millions, or 17 lakhs. The qualification for an elector in Japan is roughly the payment of a land or other tax of ten yen or Rs. 15, and the number of electors on that basis for the Madras

Presidency alone would be more than a million, and together with the other tax-payers of an equal amount, and literates would number not less than three millions, and for the whole of India may be easily about 20 millions. Be it remembered that the Japanese elector would have to choose his representative not merely for the administration of the internal affairs of the country, but of foreign affairs. Be it also remembered that manhood suffrage is the generally accepted principle in all democratic countries, that illiteracy does not count as a disqualification in many, that it does not obtain at present in India, provision having been made for the election of an illiterate member to the Council of the Government of India, and that Hyder and even Akbar were not exactly literate. It should not also be forgotten that the Indian has behind him the inherited culture of thousands of years, and that illiteracy does not generally connote ignorance, want of business understanding, or shrewdness. In any view, the number of qualified electors would run into many millions both in the Provinces and for the whole of India, and it is difficult to see, when smaller electorates are governing not only their own kingdoms but vast Empires, the Indian electorate should be characterised as a narrow oligarchy unfit to administer the internal affairs of their own country. May I be permitted to point out that the internal affairs of one fifth of India are being administered by indigenous agency, though not on a democratic basis, and that the internal and exter-

nal affairs of the whole of India were so administered for centuries? But an impatient critic might well ask: "But is this huge electorate drawn from all classes?" A cursory reference to any authorised publications would at once convince the most sceptical-minded reader that it would be drawn from all classes, Muhammadans, Christians, Parsis, Kshatriyas, Vaishyas, Shudras and Panchamas, and that all the elements would be better represented than the corresponding classes were in the England of the pre-Reform days and even in the early Victorian era, and that the danger or possibility of the creation of an oligarchy, much less of a Brahmana or any other class-oligarchy, has no foundation in fact and is a pure myth. A reference to the census-tables shows that, excluding Burma, in the 8 Provinces covered by the Report, if literacy is to be a qualification, the electorate would be more than 12 million strong, and would be drawn from all communities, castes and races, though in a proportion varying to their total numerical strength. It is noteworthy that the Brahmanas form less than one-sixth of the number. It is a well-recognised fact that among the landed proprietors, including raiyats, merchants, traders and followers of various occupations, they form a still smaller proportion. Thus, while the electorates would be numerically even stronger, their proportion would be considerably less. From the point of view of literacy, that the electorates would grow stronger year by year is patent from the fact that the total number of pupils at school

is rapidly rising, and is at present 7·8 millions, that the peoples are drawn from all classes, and that the Brahmana proportion is growing smaller is clear from the fact that their number is only one-ninth of the total. From the point of the number of officers in the administration, in the case of appointments of a salary of Rs. 200 and above in the Government of India, the Brahmana proportion is only 4 per cent. and even when compared with the pure Indian indigenous element, less than a fourth, though the proportion varies from province to province and is higher in the Provincial appointments. The English educated classes would form less than a tenth of the electorate, and of these the Brahmanas would form less than a fourth. How, under these circumstances, the electorate can be said to be oligarchic, or power would pass into the hands of an oligarchy, much more a *Brahmana oligarchy*, I leave the reader to judge.—*From a communication to the Press.*

The Hon. Mr. B. D. Shukul

The report not only discloses a thoughtful study of the Indian problems but it breathes throughout a spirit of genuine sympathy with Indian aspirations. It is a pity that inordinate zeal for caution on the part of the authors have led them to impose a number of limitations which have marred the real spirit in which the scheme has been conceived and which betray a lack of confidence in the fitness of Indians to run the administration on sound lines which is very much resented ; and it is not surprising if the scheme, taken as a whole, has failed to evoke any great enthusiasm.

While on the one hand we welcome recommendations such as the relaxation of the Secretary of State's control, the placing of the salary of the Secretary of State on the Home Estimates, the appointment of a Select Committee of the House of Commons for Indian affairs, periodic enquiry into the affairs of India by Parliamentary commissions, provisions of substantial majorities in the Legislative assemblies, of members elected on the basis of a broad franchise, the increase of Indian element in the Executive Councils and the separation of provincial and Imperial finance, complete popular control in local bodies and the abolition of racial bar in the matter of recruitment of services, there are recommendations on the other hand which we have to deprecate *e.g.*, the power of restoration in the Governor-in-Council with regard to the budget, the absence of any effective control over the Services by the

Legislative bodies, the nomination of the President of the assembly by the Governor-General, the nomination of ministers by the Governor in Provincial Executives, the resting of decisions on Reserved subjects and on the supply for them in the Provincial Budget with the Governor and his Executive Council, the curtailment of rights over the budget by making the budget resolution merely recommendatory; and it is most disappointing above all that questions of vital importance such as the fiscal autonomy for India, the place of India in the future scheme of Imperial Federation and positions of Indians in the Armies have been practically left untouched. Thus the report has its good as well as bad points and its wholesale denunciation would be as unjustified as any unqualified support thereto.—*From a contribution to the Press.*

Hon. Rai Sithanath Roy Bahadur

The proposals marked a stage in the progressive realisation of responsible government in India. He said, "I yield to none in my desire to see my countrymen managing their own affairs. But I hold that in politics as in business there cannot be proficiency and partnership without a period of apprenticeship. I make bold to say that the scheme before us makes an honest and earnest endeavour to transplant that spirit and improve institutions that suit the conditions of the country. There can be no doubt of the sympathy of the authors with the political aspirations of the Indians."—(*Speech at the Bengal National Chamber of Commerce.*)

Mr. M. K. Gandhi

After all, our standard of measurement must be the Congress-League scheme, crude though it is, I think that we should with all the vehemence and skill that we can command press for the incorporation into it of the essentials of our own.

DOCTRINE OF COMPARTMENTS

I would, therefore, for instance, ask for the rejection of the doctrine of compartments. I very much fear that the dual system in the Provinces will be fatal to the success of the experiment and as it may be only the success of the experiment that can take us to the next and I hope the final stage, we cannot be too insistent that the idea of reservation should be dropped. One cannot help noticing an unfortunate suspicion of our intentions regarding the purely British as distinguished from the purely Indian interests. Hence, there is to be seen in the scheme elaborate reservations on behalf of these interests. I think that more than anything else it is necessary to have an honest, frank and straightforward understanding about these interests and for me personally this is of much greater importance than any legislative feat that British talent alone or a combination of British and Indian talent may be capable of performing. I would certainly, in as courteous terms as possible, but equally emphatic, say that these interests will be held subservient to those of India as a whole and that therefore they are certainly in jeopardy in so far as they may be inconsistent with the

general advance of India. Thus, if I had my way, I would cut down the military expenditure. I would protect local industries by heavily taxing goods that compete against products of our industries and I would reduce to a minimum the British element in our services, retaining only those that may be needed for our instruction and guidance. I do not think that they had or have any claim upon our attention, save by right of conquest. That claim must clearly go by the board as soon as we have awakened to a consciousness of our national existence and possess the strength to vindicate our right to the restoration of what we have lost. To their credit let it be said that they do not themselves advance any claim by right of conquest. One can readily join in the tribute of praise bestowed upon the Indian Civil Service for their proficiency, devotion to duty and great organising ability. So far as material reward is concerned that service has been more than handsomely paid and our gratitude otherwise can be best expressed by assimilating their virtues ourselves.

PRESENT TOP-HEAVY ADMINISTRATION

No scheme of reform can possibly benefit India that does not recognise that the present administration is top-heavy and ruinously expensive and for me even law, order and good government would be too dearly purchased if the price to be paid for it is to be the grinding poverty of the masses. The watchword of our reform councils will have to be not the increase of taxation for the growing needs of a growing country, but a

decrease of financial burdens that are sapping the foundation itself of organic growth. If this fundamental fact is recognised there need be no suspicion of our motives and I think I am perfectly safe in asserting that in every other respect British interests will be as secure in Indian hands as they are in their own.

INDIANS IN CIVIL SERVICE

It follows from what I have said above that we must respectfully press for the Congress-League claim for the immediate granting to Indians of 50 per cent. of the higher posts in the Civil Service.

MR GANDHI'S ADVICE

I cannot, however, conclude my observations without stating what I consider to be the best means of enforcing our opinion, whatever shape it may finally take. I entirely endorse the concluding remarks of the authors of these historic documents, which thousands of Indian reformers are to-day studying with avidity :—"If anything could enhance the sense of responsibility under which our recommendations are made in a matter fraught with consequences so immense, it would be the knowledge that even as we are bringing our report to an end far greater issues still hang in the balance upon the battlefields of France. It is there and not in Delhi or Whitehall that the ultimate decision of India's future will be taken." May God grant us Home-Rulers the wisdom to see this simple truth. The gateway to our freedom is situated on the French soil. No victory worth the name has yet been won

without the shedding of blood. If we could but crowd the battle-fields of France with an indomitable army of Home-Rulers fighting for victory for the cause of the Allies, it will also be a fight for our own cause. We would then have made out an unanswerable case for the granting of Home-Rule, not in any distant or near future but immediately.

My advice therefore to the country would be-fight unconditionally unto death with Britain for victory and agitate simultaneously, also unto death, if we must, for the reforms that we desire. This is the surest method of gaining an honourable victory for ourselves over the strongest opposition of bureaucratic forces and at the end of it there would be no ill-will left. It may not be impossible to gain our end by sheer obstructive and destructive agitation, but it is easy enough to see that we shall at the same time reap ill-will between the British and the Indian elements, not a particularly cohesive cement for binding would-be partners.—(*Letter to the Hon. Mr. V. S. Srinivasa Sastri*, 18*th July*.)

Sir P. S. Sivaswami Aiyar*

We have carefully read the report of the Secretary of State and the Viceroy in which the reform proposals are embodied. We recognize the care and thoroughness with which it has been prepared, and we feel that an honest attempt has been made to deal with the present political situation in India. While there can be no doubt of the sympathy of the authors with the political aspirations of Indians and of their desire to contribute to the advancement of the country as a whole, it is clear that the report is influenced by scepticism as to the fitness and capacity of the people of India and that their anxiety not to impair the effectiveness of the executive government has in some respects tended to strengthen the position of the heads of provincial and central Governments even beyond the present limits. Though the Congress-League scheme has been rather lightly discarded the measurss of reform proposed in the report mark a definite stage in the progress towards the goal

* From a manifesto issued by Sir P. S. Sivaswami Iyer, Khan Bahadur Khudus Budsha Sahib, Dewan Bahadur Krishnaswami Rao, Dewan Bahadur L. A. Govindaraghava Iyer, the Hon. Mr. Yakub Hasan, the Hon. Mr. T. Rangachariar, Mr. K. Srinivasa Iyengar, Mr. G. A. Natesan and Dr. M. Krishnaswami Aiyar, Mr. N. Subbha Rao, the Hon. Rao Bahadur M. Ramachandra Rao, the Hon. Mr. K. R. V. Krishna Rao and the Hon. Mr. A. S. Krishna Rao.

announced by the Secretary of State on the 20th of August last, and we therefore consider that the path of wisdom lies not in the rejection of the scheme but in the securing of considerable modifications. In considering the scheme as the basis of discussion we would suggest *inter alia* :— (1) The procedure of certification by the Governor-General being restricted to cases where the interests of peace and order may require it ; (2) control over customs and tariff being fully vested in the central legislature ; (3) the budget being voted upon by the legislature excepting what may be required for the army and navy and the vested interests of existing services, and (4) a larger Indian element in the Executive Council of the Government of India.

As regards the provincial Governments the transferred subjects should comprise all except law, justice and police, and the transfer of the latter from the head of reserved subjects should be made as a matter of course after a fixed period, unless it is proved to the satisfaction of the Royal Commission to be appointed under the scheme suggested by the Report that such transfer is undesirable in the public interest. The amount that may as of right be insisted upon for allotment to the reserved department should be on the basis of the pre-war expenditure on those departments, and any further amount that may be required should be voted upon and raised by means of bills passed by the Legislative Councils as in the case of any extra money required on account of the transferred departments, and

the Governor should not have the power to insist on the whole or any part of the allotment originally provided, by certifying its necessity. The apportionment of provincial contributions to imperial expenditure proceeds on wrong principles, and in the case of Madras perpetuates a manifest injustice. There is no adequate justification for the proposal to appoint members without portfolios from among high officers for purposes of consultation and advice. We are convinced that it is bound to more than neutralise any advantages to be expected from the presence of the Indian element in the executive councils of provincial Governments. The proportion of representatives of the Mussalman community as fixed in the Congress-League scheme should be adhered to.

The above suggestions indicate the direction in which the proposals of the Secretary of State and the Viceroy require modification as they will, if adopted, comprise some of the leading features of the Congress-League scheme.

The Hon. Mr. Mirza Sami-Ullah Beg*

THE REFORM SCHEME

There is room for substantial improvement in the proposals relating to the Government of India and the Provincial Governments, but, taking a large view of a large situation, it is our considered opinion that the scheme is the outcome of an honest endeavour to envisage the political situation in this country and to understand the thoughts and desires that are moving our country.

* From a manifesto issued by 1. Tej Bahadur Sapru. (The Hon. Dr), Allahabad. 2. Moti Chand (the Hon. Raja, C. I. E)., Benares. 3. Jagat Narain (the Hon. Pandit), Lucknow. 4. Abdul Majid (the Hon. Nawab, C. I. E.,), Allahabad. 5. Sami Ullah Beg (the Hon. Mirza), Lucknow. 6. Anand Swarup (the Hon. Rai Bahadur), Cawnpore. 7. Narayan Prasad Asthana (the Hon. Munshi), Allahabad. 8. Vikramajit Singh, Cawnpore. 9. Bishambar Nath (Rai Bahadur), Cawnpore. 10. A. P. Sen, Lucknow. 11. Sadiq Ali Khan (Nawab), Lucknow. 12. C. Y. Chintamani (the Hon. Mr.), Allahabad. 13. D. R. Ranjit Singh, (Lieut., I. M. S.), Allahabad. 14. Rai Krishnaji, Benares. 15. Hirday Nath Kunzru, Allahabad. 16. Krishna Ram Mehta, Allahabad. 17. Gauri Shankar Prasad, Benares :

RESERVATIONS.

1. We are in full agreement with the views set forth in this statement, except that we are not in favour of the principle of communal representation.

ANAND SWARUP.
SADIQ ALI KHAN.

2. I regard the scheme an honest attempt to fulfil the conditions of the announcement made on 20th August, 1917. But the scheme does not provide adequate safeguards for the interests of the Mahomedans. Mahomedan interests in councils, local bodies, and in public services should all be protected. I agree with the manifesto subject to the above reservation.

ABDUL MAJID.

men, and represents a genuine and material advance on existing conditions. We cannot pretend to be in agreement with every sentiment expressed in the Report, or to be satisfied with every proposal put forward by its authors. There is much in it with which we disagree. Undue weight has been attached to factors that are unfavourable to us. At places the proposals betray a nervousness which appears to us to be exaggerated and are hedged round with safeguards which take away from their usefulness and give rise to suspicions in the public mind, which imperil the chances of a dispassionate consideration of their merits. We are convinced, nevertheless, that on the whole they are deserving of the serious and favourable consideration of our countrymen. Modifications in them are no doubt necessary in order that they may more effectively fulfil the purpose with which they have been designed, but they proceed in the right direction. They will start us on the road to responsible government and unquestionably render further advance towards the object of our desire much easier than it is at present.

The modifications proposed should be such as would not involve so radical an alteration in its structure as to imply its virtual rejection. We should bear in mind that the scheme is put forward avowedly and only for the period of transition between now and the stage of complete responsible government. But we should make it plain that this period should not be longer than absolutely necessary,

and further that even now no more restrictions ought to be imposed or safeguards inserted than may be indispensable for the discharge of the Government's responsibility for peace and order. The committee that will be appointed to consider the division of subjects into reserved and transferred ones should be instructed to recommend the retention in the former group as few subjects as must be reserved for the time being and the transfer of the largest possible number. The power of legislative Councils should not be hampered by too many checks. 'This' to use the language of Sir Harcourt Butler, 'is a canon of moral strategy. Reform must not be afraid of itself.'

We would add that in our opinion the proportion of Moslem representation that has been arrived at by agreement between the Indian National Congress and the All-India Moslem League should be given effect to in the constitution of the legislative councils. We would emphasize this in view of the circumstance that the Moslems are not to participate in the general electorates as agreed to by the Congress and the Moslem League as well as by the Secretary of State and the Viceroy.

We are also willing to allow that the Governernment of India may retain for the present more power than provincial governments will enjoy. But the stages by which a progress is to be made in liberalizing it should be clearly indicated and the first stage should be traversed now. The line of advance should be settled now. The function of the commissions of enquiry should be

only to determine the extent of the advance practicable at any given time. But in our opinion the drawbacks of the scheme are not such as to justify us in advising its rejection.

Reasoned and helpful criticism is never out of place, but a wholesale denunciation of the reforms is neither fair nor wise. Statesmanship and patriotism alike demand that we should recognise their value in no grudging spirit and guard against playing into the hands of the enemies of Indian Reform.

The Hon. Pandit Jagat Narain

I am fully convinced that if a time limit, say even of 25 years, be fixed by statute for the grant of complete responsible government in the provinces all parties in India will be prepared to accept the scheme. If this be granted—and we should strenously press for it—I will be prepared to leave other details to be worked out by the authorities, because then they are only of minor importance. If, however, in the opinion of our rulers, twenty-five years of training and experience are not sufficient to make Indians fit for full and complete responsible government in the provinces then we cannot be blamed for supposing that the present scheme is only a make-shift, and it is not intended that the goal should be reached within a reasonable period of time. I am prepared to accept with confidence the assurance that the policy of the announcement of 20th August will be steadily carried out, and sooner than later we shall get what we want.—*From a contribution to the Press.*

Dewan Bahadur Govindaraghava Iyer

GRAND COMMITTEE.

The institution of the Grand Committee proposed is, I think, open to serious objection. It is no doubt stated that the reference to the Grand Committee shall be only on the certificate of the Governor, and it is also stated that reasons which would justify such a reference shall be included in the instructions to Governors which the India Office shall issue. This latter safeguard indicated in the Report itself shows the undesirability of the provision; and recent experience in this province of how the discretion given to heads of Government is availed of so as to keep within the letter but not within the spirit of the provisions, for the exercise of such discretion must make one chary of entrusting to the Government the large powers that can be wielded with the help of the Grand Committee, solely on the certificate of the Governor that such a reference is needed in the discharge of his responsibility for the peace or tranquillity of the province. With its nominated and official element and with the representation of all interests to be found in the Legislative Council, with the power of veto and dissolution vested in the Governor, and with the maintenance of law and order and justice amongst the reserved subjects, it is difficult to understand what need will arise for the Governor referring a matter to the Grand Committee solely in the dis-

charge of his responsibility for the peace or tranquillity of the province. As regards the responsibility of the Executive Government for the reserved subjects, questions of difficulty are likely to arise only with respect to the Budget allotments. If the provision be, and that is what I propose, that there should be an allotment in the budget for the reserved subjects on the basis of the pre-War expenditure on them, and that that allotment should not be interfered with by the Legislative Council without the consent of the Executive Government and if in addition the vested rights of those already in the services are secured, there can be no question that funds are provided for the carrying on of the administration of the reserved departments in their ordinary state of efficiency.—(*New India, August*, 1918.)

Hon. Prof. Paranjpye

THE GOVERNMENT OF INDIA

The weakest part of the scheme is obviously the proposals with regard to the Government of India. True, the Legislative assembly is to have a two-thirds elected majority, but this majority can wield only influence and has no power. With it is associated a Council of State, on which the nominated and official members are to form a decided majority and which can be used to pass any legislation, budget allotment, or financial proposal which the Governor-General, acting as the mouth-piece of the Imperial Parliament, considers necessary in the interests of peace, order or good government. We hope that the periodical commissions that are to examine the working of the reforms will not consider the question of introducing responsible government in the Government of India as lying outside their domain. . . . Under the scheme the transition of the Government of India from autocracy to responsibility is bound to be sudden as no intermediate stages are arranged, as in the case of provincial Governments. In any case it will hardly be possible for any autocratic Government to resist for long any demand that is repeatedly voiced by the people even though acting in a merely advisory capacity. Even in the case of the Morley-Minto reforms, the indirect influence of the Councils on administration and legislation was considerable and weight of the proverbial sixteen votes on any question in the Imperial Council was well known. . . . We wish however it were possible to amend the scheme on this point to some extent at least.—*The Servant of India.*

Hon. Mr. Yakub Hasan

GOVERNMENT OF INDIA

We must insist on the Government of India being remodelled and brought in line with the Provincial Governments. We cannot be satisfied with only two Indian members in the Executive Council specially as it is proposed to abolish the present statutory maximum of six members. The Congress-League proposal of half the members being Indian should again be pressed.

Certain provisos are made to meet certain eventualities. These Government safeguards might be tolerated if they are ordained only as temporary features but there is no provision in the proposals for the revision of the system, say after ten years by the first Commission. We must get this defect remedied. There is no doubt a fear, outcome of our past experience and history, that what are shown to be only transitory features might become a fixture for an indefinite time and the final goal for only a distant possibility. The scheme lends itself to be manipulated either way. It can be so improved as to satisfy our highest aspirations or so modified and weighed with conditions and reservations as to become one more document of a mere impotent good-will. In this feature of it lie our hopes and ourfears. —(*From a contribution to the Press.*)

Nawab Sadiq Ali Khan

As far as the general policy of the report is concerned I prefer to follow Mr. Gandhi, Commander Wedgwood and the *Manchester Guardian* and would advise the acceptance of the reform proposals in general, suggesting modifications which in my humble opinion seem necessary.

THE PROVINCES

As to the Provincial Government a great deal will depend on the spirit in which the subjects are transferred. If the subjects are transferred in a niggardly spirit, even with the safeguards suggested in the report the reform will practically be nominal but if they are transferred in a generous spirit it will be substantial.

The successive stages should clearly be marked out in the statute and the time limit when complete autonomy is to be reached should be expressly fixed.

FINANCE

Each department whether reserved or transferred should have a right to have provision made for it say on a three years' average. Anything beyond that should depend on the surplus. If there is a surplus then the Governor may have power to certify as to the reserved subjects (see para. 50 of Appendix I) but only up to 10 per cent. of the surplus. Any extra amount required should be left to the good sense of the Legislative Council.

As to the separate electorate for Mahomedans I have always been against it and I do not see any reason to change my opinion.—(*The Leader.*)

Hon. Mr. M. Ramachandra Rao

BUDGET PROVISIONS AND PROVINCIAL EXECUTIVES

The authors of the scheme frankly admit that their plan of Provincial Executives involves "some weakening of the unity of the Executive and some departure from constitutional orthodoxy"; but whenever and wherever they approach this problem of realising responsibility at different times in different functions they find it impossible to adhere tightly to theoretical principle. It would be impossible to attain this object "by a composite Government so composed that all its members should be equally responsible for all subjects. At the same time, it is necessary to secure that the whole Executive should be capable of acting together. What we can do is to aim at minimising causes of friction; and we have proposed arrangements that can be worked by mutual forbearance and a strong common purpose." With these admirable sentiments in view, it is surprising that they of the scheme should have deliberately put forward their proposals embodied in the scheme in regard to the Provincial Budgets and balances. For there is no doubt that if any set of proposals are likely to cause more friction and contention it is these proposals relating to the budget. The contribution to the Government of India which, it may incidentally be remarked, is the heaviest from Madras is a first charge on Provincial revenues, and after this is satisfied the Governor in Executive Council can appropriate as much as he considers necessary for the current and expanding

expenditure in the reserved departments. The balance will then go towards the maintenance of the transferred departments. If there is a deficit, the Ministers will have to bring in proposals for additional taxation. These proposals constitute an altogether one-sided arrangement, and no better scheme could have been devised to effectually prevent the growth of necessary expenditure in the transferred departments. "Finance is the vehicle of Government and unless the Executive can raise money for its needs and lay it out as it pleases, it cannot continue to be responsible for the administration." The Ministers who may not be responsible for a deficit are to find the money and incur the odium of popular disapprobation, while the members of the Executive Council will be entirely free to stand up for increased expenditure in their departments. The working of the Budget for two sets of departments under these unequal terms will furnish from the very outset a very acute cause of trouble which will grow with each year, and if the success of the working of the transferred departments were to be assured a more stable scheme of finance should have been devised. There is no reason why priority should be given to Governor-in-Council even for new expenditure on the reserved subjects. The present proposals come to this that the Governor-in-Council frames a Budget for the Police or Survey charges where the new expenditure for the year is 25 lakhs, it will take precedence automatically over the expenditure on the transferred departments. It

can no doubt be objected to in the Council at the time of the passing of the Budget, but the Governor will have the right to restore it in the interest of peace, order, and good government. "Peace, order and good government" are like "Justice, equity and good intentions" very captivating words. But they can be interpreted so widely as to practically guarantee any item of expenditure on reserved subjects getting through, though it may not be relatively as necessary as expenditure on the transferred departments. In the existing Councils, criticism on the expenditure in the Police, and Land Revenue Settlements, has met with very little success and even under the proposed scheme the same state of things would prevail. The Provincial budgets are not to be incorporated in the Imperial Budgets hereafter, but I take it, that at any rate, that portion of the budget belonging to the reserved departments will still be sent to the sanction of the Government of India. I do not see any statement to the contrary anywhere. On the other hand it is asserted in the Report, that there is no logical reason for relaxing the control of the superior official authority over the Provincial Governments. Obviously the Ministers may be told that the Government of India have directed the increase of pay in that or this department and the Provincial Government has no other alternative but budget for the same.

The lack of unity and the sense of divided responsibility forms a fundamental objection to a scheme of Provincial Executives in two parts.

One part of it will be so unequally matched with the other, in regard to its privileges and powers, that it is more than likely to stimulate no growth of responsibility in the Ministers. The powers of intervention of the Executive Council and the Governor at every stage is a real danger in Provinces where the members of the Indian Civil Service are to be the Governors.

The better plan will be to bring the whole field of Provincial administration under a scheme of Responsible Government, as this is the only way in which we can avoid want of unity and strength to reconstruct the Government on this basis. This will also avoid all the restrictions in regard to the control of the Services and the Budget. If necessary, this may not be fully conceded ; I am willing to acquiesce in the reservation of the two departments, Law and Justice and Police, as a great deal has been said about the danger to law and order. Even these departments may be managed by the Provincial Governments as Agents of the Government of India during the stage of transition. I would prefer a scheme of centralisation of the two departments to keep together the unity of the Provincial Government and to make it wholly responsible to the people. This will also avoid the distinctions which must inevitably be drawn between the Indian members of the Executive Council and the Minister. The authors of the scheme seem to think that this does not matter so long as the bureaucratic element is increased but I think it is a matter of vital importance.—*From a communication to the Press.*

The Hon. Mr. C. Y. Chintamany

EDITOR "THE LEADER"

I would strenuously resist the very dubious and almost unaccountable proposal that in addition to the Executive Council and Ministers there might be in the provincial Government 'an additional member or members without portfolios and to be appointed from among senior officials.' The proposal that 'a limited number of members of the Legislative Council' may be appointed 'to a position analogous to that of parliamentary under-secretaries' is to be welcomed, but they should be selected from among non-official members if there is to be a meaning in and advantage from the measure. Not less than four-fifths of the provincial Legislative Councils should consist of elected members and not more than one-half of the remainder should be officials. I do not agree that the Governor should be president of the Legislative Council. Either he should be elected by the Council, or if he must be nominated the Council should have the right at least to elect the vice-president. I see no objection to Government being required to give effect to resolutions carried by a two-thirds majority, nor to the Council being given power to make its own rules for the conduct of business. The reasons given for the constitution of Grand Committees are neither adequate nor convincing. Notwithstanding what is said in paragraph 248, I am persuaded that the power vested in the Government of India to legislate for the provinces meets all requirements. The Legislative Council should have more and the Governor in Council less control over budget dispositions.

Every subject that can possibly be included in the list of transferred subjects should be taken out of the reserved group, which should comprise no more than the irreducible minimum. We must do everything in our power to secure a third Indian member in the Governor-General's Executive Council, unless the number of ordinary members is to be reduced from six to four. In the Council of State the number of elected members should be raised from 21 to 25 and that of nominated members reduced from 29 to 25. The Legislative Assembly of India should be given some real power, however circumscribed it may be, both over legislation and finance, while without any risk resolutions can be made ordinarily binding on the executive if they are passed by both Houses of the legislature. The Governor-General in Council should have no power to remove to the reserved list any transferred subject, and the Commission of Enquiry should meet at shorter intervals than 12 years. A serious attempt should be made to give some hopeful indication to the aspiring people of India that complete provincial autonomy can be attained in about a dozen years from the date of the first introduction of the reforms, and that the final stage of full responsible government in the Government of India can be reached in another 12 or 15 years. If this be done, I am not without hope that even the strongest critics of the present scheme will be somewhat mollified.—*The Servant of India.*

Prof. V. G. Kale

All constitutional changes proposed in the scheme will be nugatory if representatives of the people are allowed to exercise no control over national finance, tariffs, industries, railways, currency and banking. To secure popular control over these functions of the executive government has been one of the most important objects of the constitutional agitation of the people for the past many years.

We must make it clear to the British public and the Cabinet that unless a considerable measure of popular control is provided in the central Government, the scheme as a whole will not be accepted by the country and there is no reason why the leaders should shirk this duty. The apprehensions that such a suggestion will wreck the whole scheme are groundless and we ought to use the opportunity of criticism that has been given to us to the full. I am prepared to accept the partial self-government that is granted in the provinces, with certain modifications, of course, if substantial changes are made in the constitution of the Government of India. We should urge that at least in the advanced provinces, the reserved services should be very few and that the power of provincial taxation should be real and full. We should also urge that as little as possible should be left to the committees to decide and that the powers to be given to the people and the legislatures should be definitely and clearly laid down in the statute.—*The Servant of India.*

Khan Bahadur Sarfaraz Hussain Khan

1. That there should not be allowed to exist a Council of State in the Government of India.

2. That in the Viceroy's Executive Council half the number of members must be Indian.

3. That the following subjects, *viz.*, Foreign affairs, Army and Navy and those that are necessary for peace, order and the safety of the country and those that have concern with the ruling chiefs should be considered reserved subjects.

4. An annual fixed amount should be determined by votes for the expenses of the reserved subjects and if the Government want more money, it shall have to get sanction from the Legislative Council by votes.

PROVINCIAL GOVERNMENTS

In these Governments all the departments save Law, Police and Justice be transferred to Ministers and those should be transferred automatically at the end of 5 years.

5. That the term of the service of the Ministers nominated by the Governor-in-Council to depend upon the Legislative Council.

6. The Provincial Budget to be under the control of the Legislative Council, provision being made for the amount of money that should be given to the Government of India and for the reserved subjects.—*Presidential address to Special Session of Behar Provincial Conference.*

Pandit Manohar Lal

The scheme requires modifications in certain essential particulars, to prove acceptable to the people of India. The institution of a Second Chamber in the Government of India is a retrograde measure, and some other method ought to be found to secure the affirmance of necessary legislation ; it is doubtful whether in the provinces at any rate resolutions passed by the Legislative Council should not under certain safeguards be of a binding character ; and the right of putting questions in the Legislative Chambers should be less fettered. The range of transferred subjects is unduly limited, and the Ministers in charge should undoubtedly enjoy equal rank and status with the members of the Executive Council. The demand for an elected speaker of the Legislative Chamber is also difficult to meet in theory, and the necessity for an official President is not made out by any practical considerations. Among the ablest of the exponents of the Congress-League scheme is Mr. Srinivasa Sastri, and I feel with him in his criticism of the Reforms that the scheme is in some measure open to the hazards of bureaucratic jealousy. Some of the suggestions made above are likely to safeguard against this, but the working of any scheme must necessarily rest on the good-will of those charged with power and the trustful co-operation of the people.—*The Tribune.*

Prof. H. G. Limaye.

The constitution of the Government of India is the weakest and the most unsound part of the proposals made by the Viceroy and the Secretary of State. It is practically a continuation of the *status quo* without even the shadow of a beginning towards making the executive responsible to the legislature in any way. . . . Even a two-thirds elected majority in the Legislative Assembly simply means the extension of the principle of representation. It cannot mean even the smallest beginning of responsible government according to the canon enunciated by the Secretary of State himself. Whatever additional importance the Legislative Assembly of the future may obtain by the higher proportion of the elected representatives of the people it will be neutralised by the Council of State, which reproduces important features of the present Indian Legislative Council. In fact we are inclined to consider that the Council of State is created to serve as a screen, thin though it be, to cover the continuance of the present system of government.

Even with all these drawbacks the constitution of the Government of India might have been more favourably received by the people of India, if it had fulfilled one condition, *viz.*, if the Government of India had been granted complete independence in regard to fiscal matters. We attach more importance to this point than even to the constitution of the Government of India. —*The Servant of India.*

The Rev. Ahmad Shah

Most extraordinary power has been given in the scheme to the Governor. In fact more power has been given to him than he enjoys at present. Moreover it should be remembered that the interference of the Government of India and Secretary of State over provincial governments has been much reduced in the scheme. With these powers in his hands the Governor may become an absolute autocrat and it is the negation of responsible government to leave so much power in the hands of one man without his being immediately responsible to any one. . . But here the Governor can pass a measure even if opposed by Legislative Council and his ministers. The Governor will rule with men of his own choice, whether in the executive council, or in case of ministers under popular control or additional official members without portfolios all of whom he will nominate himself. Now, I do not say that the Governor will always use these extraordinary powers. But political rights and powers are dearer than life itself as they affect not individuals only but nations, whole communities and generations unborn ; and it is never safe to leave these rights and powers for however short a period in the hands of a single individual however benevolent. Moreover the constant shifting of Governors in so many provinces may occasionally bring an unsympathetic man of autocratic temper. The people with increased political consciousness will be more sensitive in a conflict of opinion between the Government and the people.—*From a communication to the Press.*

Mr. N. C. Kelkar

(*Editor, The Mahratta.*)

What is remarkable about the Report is the equanimity of temper with which both likes and dislikes have been subdued, so much so that the passionate advocate appears the impartial judge and the vigorous critic only a warm apologist. There is not one unkind word or expression in the Report about those whom its signatories cannot be expected to love. In fact, if we leave aside the actual recommendations, the first half of the Report might have as well been written by a "hopeless" but cultured and enlightened Home Ruler. It bristles with admissions against Government which would be the delight of the Nationalists, and which must for ever more completely demolish even the little ground-work of defence on which the bureaucracy was standing so long in its desperate fight against the forces of liberalism in India.

The elements of the idea of Responsible Government, in the Montagu Scheme, has much to be said in its favour. But the idea could as well be added on to the Congress-League Scheme. We say this without prejudice to our contention that the Congress League Scheme itself is not a negation of responsibility. The scheme, even as it is, gives ample powers to the Legislature; and a vigilant effective exercise of them can secure the needed degree of accountability in the Executive. A vote of censure can be passed by the Legislative Councils as constituted under the Congress League Scheme, and self-respecting Ministers need not be actually dismissed or punished by a reduction in their salary. *Verbum sat sapienti.*

There are a number of countries with democratic constitutions, which do not provide for the removal of executive Ministers. But to cut the matter short, we shall at once frankly say that we do not object to the introduction of Responsible Government. The Congress-League Scheme also is implied by a Responsible Government Scheme, but if Mr. Montagu wants that element to be especially introduced, well, be it so. We accept an amendment to the Congress-League Scheme in this respect, whether it be intended as a constitutional improvement, or as a veiled challenge to the Indian politicians to prove their fitness for administrative responsibility.

But we entirely fail to see why we must necessarily kill the fat calf of Legislative power to feast the newcomer responsibility. Is responsibility of the Ministry really inconsistent with the plenary powers given to the Legislature in the Congress-League Scheme? If responsibility is a salutary thing, why should not the Executive Council itself in the new scheme have a little of it as well? Not responsibility, we mean, to the State Secretary but to the electorate of whom the Montagu Scheme is so fond and enamoured? A bicameral system is, let us say again, an improvement over the Congress-League Scheme. But the essence of this new feature is not that the elected members should be in a minority in the upper chamber, but that the existence of a second chamber performs the function of delaying hasty legislation and revising it. If Mr. Montagu wants a second chamber, he may fix the qualifi-

cations of membership thereof as high as he likes ; but, why, pray, must not the elected members be in a majority? But it is evident that Mr. Montagu's object is not to improve upon the constitutional aspects of the Congress League Scheme but to curtail the powers of the Legislature. Some people say that the institution of a second chamber is tantamount only to providing an agency for the exercise of the veto which even the Congress-League Scheme allows. But if it is the same, then why have this upper chamber to put a stamp of inferiority upon the lower chamber? Why should not the Governor-General take courage in his hands, responsibility on his shoulder, and simply exercise the veto? . . .

But that is not all. We sincerely believe that apart from the political aspect of the provision of departments into 'reserved' and 'transferred,' the division is unsound from a constitutional point of view. Mr. Montagu himself admits it to be a complication; and all the pious sermons in the Report upon the virtues of commonsense, spirit of co-operation, *esprit de corps*, will not save the country from the evil effect of dualism in the Executive Government. The fact that the Executive Council will be mainly European and the Ministry invariably Indian, coupled with the other fact that while the former will have its supplies secured to it automatically and preferentially, and the latter will have to get them by favour of the Executive Council and by additional taxation,—these two facts, we say, will accentuate racial bitterness in a high degree.

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